

SAINT CHRISTOPHER AND NEVIS
STATUTORY RULES AND ORDERS

No. of 2011

Education (Schools) Regulations.

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SAINT CHRISTOPHER AND NEVIS
STATUTORY RULES AND ORDERS

No. of 2011

The Education (Schools) Regulations.

In exercise of the power conferred by section 172 of the Education Act No. 9 of 2005, the Minister responsible for Education makes the following Regulations:

PART I
Preliminary

1. **Citation.** These Regulations may be cited as the Education (Schools) Regulations, 2011.

2. **Interpretation.** In these Regulations,

“Act” means the Education Act No. 9 of 2005;

“assisted private school” means an assisted private school in accordance with section 116 of the Act;

“denominational school” means a denominational school in accordance with section 2 of the Act;

“official” means a person who holds an office or is employed by the Ministry of Education, but is not engaged as a principal, deputy principal or teacher in a school;

“private school” means a private educational institution in accordance with section 2 of the Act;

“public school” means a public school in accordance with section 2 of the Act;

“punishment book” means a book for recording actions taken against a student for indiscipline.

PART II
Schools Records

3. **Records to be kept.** The principal of a school shall keep

(a) in relation to students

- (i) an admission register of students;
- (ii) a register of students;

- (iii) attendance registers of students;
- (iv) a cumulative record of every student of the school;
- (v) term and annual progress reports respecting students;
- (vi) a visitors book for recording of visits made on behalf of a student;
- (vii) subject syllabi;
- (viii) an inventory book in which shall be recorded all school books and other school material which were supplied to students;
- (ix) a punishment book,

(b) in relation to teacher and other staff

- (i) a proper record of the official papers including copies of the records required to be kept in respect of every teacher;
- (ii) an attendance register for teachers and other staff;
- (iii) scheme of work books;

(c) in relation to the school and school activities in general

- (i) a log book, diary or ledger for recording significant events;
- (ii) a copy of the current school timetable;
- (iii) a copy of the Education Act and Regulations made under the Act;
- (ii) an inventory of equipment, furniture, apparatus, books and other materials; and

(d) such other records as the Minister may require,

for inspection by the Minister or the Chief Education Officer, or any other person authorized in writing by the Minister or the Chief Education Officer.

4. **Student records.** (1) The record of a student shall be kept

- (a) in hard copy or in a book or file; and
- (b) where an electronic system of recording exists, in electronic form.

(2) The principal of a school shall keep and maintain a permanent record of every student enrolled in or admitted to the school with the following information

- (a) the name, address and telephone number of the student;
- (b) the attendance record and academic performance and the student;
- (c) the class or grade level completed by the student; and
- (d) the year in which the student graduated or otherwise exited the school.

5. **Teacher records.** The principal shall keep the record of a teacher in a separate file or folder from the record of every other teacher.

6. **Log book or diary or ledger.** The principal shall record in the log book, diary or ledger referred to in regulation 3 (c), every significant event occurring in the school.

7. **Custody of records.** Every register, or book or other official document or record required to be kept in respect of a school under the Act or Regulations shall be kept in a secured place on the premises of the school.

PART III Curriculum

8. **Primary School Curriculum.** (1) The core subject areas to be taught at a primary school shall be

- (a) Language Arts;
- (b) Mathematics;
- (c) General Science;
- (d) Social Studies;
- (e) Health and Family Life; and
- (f) Physical Education.

(2) Notwithstanding the generality of sub-regulation (1), the curriculum of every primary school shall provide for training in recreational and technological skills and aesthetics from among the following subject areas

- (a) Home Economics;
- (b) Agriculture;
- (c) Music;
- (d) Information Technology;
- (e) Construction Skills;
- (f) Basic Electricity;
- (g) Metal Work;
- (h) Commercial Studies;
- (i) Art and Craft;
- (j) Wood work.

9. **Secondary School Curriculum.** The academic and vocational programmes of a secondary school

- (a) shall include Mathematics and English Language;
- (b) shall consist of at least one foreign language subject and one science subject; and
- (c) shall be based on the syllabus of the examining boards approved by the Minister, the requirements of the labour market, the opportunities available for self-employment and the need for personal development.

10. **Assessment and evaluation.** (1) The principal of the school shall
- (a) be responsible for ensuring that the administration of the evaluation and assessment of the programme of instruction is performed in accordance with the Act and these Regulations;
 - (b) arrange for periodic assessment of the work and progress of each student; and
 - (c) subject to sub-regulation (3), conduct an annual examination for students enrolled at the school towards the end of the third term in every school year or at such other times as may be determined after consultation with the Chief Education Officer.
- (2) The annual examinations referred to in sub-regulation (2) shall in the case of a primary school commence and end during a period of not more than five consecutive school days or as otherwise provided in writing by the Chief Education Officer.
- (3) The arrangements for the assessment of students referred to in sub-regulation (1) shall be made and executed in accordance with the National Curriculum.
- (4) The programme of instructions offered by a school shall be based on, or in accordance with, the curriculum regarding the subject area and in accordance with the Act.

PART IV

School Calendar, Academic year, hours of school, terms and vacations of public schools and assisted private schools

11. **Preparation of school calendar** (1) The Ministry of Education shall circulate an annual Calendar of Activities at the beginning of the school year on which shall be indicated the dates of the beginning and ending of instructional sessions for each year, and the dates for school vacations and school holidays.
- (2) Every school shall, before the commencement of a school year, develop and prepare a calendar for the school year on which shall be indicated
- (a) the beginning and ending of each term during the school year;
 - (b) the school vacation periods for the school year;
 - (c) the dates for the end of term examinations and other major school examinations;
 - (d) the proposed dates for the commencement and ending of external examinations;
 - (e) the dates for school annual graduation and other major ceremonies;
 - (f) the dates for the submission of applications for admission to the school;
 - (g) the dates for activities respecting the professional development of members of staff; and
 - (h) such other academic and non-academic activities for the school year.

(3) The principal of a school shall not later than the last day of first term of every school year forward a copy of the school calendar to the Chief Education Officer.

12. **Academic year.** (1) The academic year shall

(a) commence on the first day of September of one year and end on the thirty first day of August the following year; and

(b) consist of not less than 180 days divided into three terms and three major periods of school vacation.

(2) Where a school in any academic year does not meet the requirement of 180 school days within the time scheduled in the school time table for the conduct of instructional sessions referred to in these Regulations, the school shall make such arrangement to satisfy that requirement unless exempted in writing by the Chief Educational Officer.

(3) Instructional classes for a school in any year shall commence not later than the date of the second Monday of September and shall end not later than the date of the first Monday of July in the following year, unless otherwise specified by the Minister.

13. **School day.** (1) Every school shall be in session every school day except during an interruption approved

(a) by the Minister; or

(b) the Managing authority of the School, acting on behalf of the Minister.

(2) Subject to sub-regulation (3) and regulations 14 and 15, the school day shall be divided into two instructional sessions with a break of approximately fifteen minutes in the first instructional session and an intervening period for lunch.

(3) Where the school day consists of one instructional session which goes beyond the noon hour, there shall be a break of no less than twenty minutes within that session.

14. **Hours of instruction for primary schools.** (1) The school day at a primary school shall

(a) comprise two instructional sessions

(i) morning session;

(ii) afternoon session,

(b) include a lunch period not exceeding one and a half hours between the morning session and the afternoon session; and

(c) end not later than 3:30 pm.

(2) Subject to sub-regulation (3), the morning session in a primary school shall commence not later than 9:00 am and shall end not later than 12:00 pm and the afternoon session shall commence not later than 1:30 pm.

(3) The principal shall determine the commencement and the ending of the morning and afternoon sessions in a school day, prior to the commencement of the academic year and subject to approval by the Minister.

(4) There shall be:

(a) scheduled instructional time of not less than five hours in each class on a school day;

(b) a break of not less than fifteen minutes during the morning session on each school day, except that the students in the infant school may be permitted a second break.

(5) Upon receipt of a written application from an assisted private school for instructional sessions and hours for the commencement of the session different from those specified in these Regulations the Minister may, in writing, approve such different instructional session and hours for the commencement of the sessions.

(6) The application referred to in sub-regulation (5) shall be addressed to the Chief Education Officer and shall contain such information as the Chief Education Officer may request.

15. Hours of instruction for secondary schools. (1) The sessions and the hours of instruction in the case of private or assisted public secondary schools shall be determined by the principal, subject to the approval of the Minister.

(2) Notwithstanding sub-regulation (1), the Minister may direct that the aggregate scheduled instructional time for each class during a school day shall not be less than six hours.

16. Roll call, assembly and religious education. (1) Morning assembly and roll call shall be conducted within a period of not more than thirty minutes before the commencement of the first instructional session of any day, unless otherwise specified by the principal.

(2) Where a parent request that a student be excused from participating in religious activities or religious education or instruction, the request shall be made by the parent, by completing Form II of the Schedule.

17. School vacations. (1) There shall be, in every school year, three terms and one major school vacation at the end of each term, as follows:

- (a) Christmas vacation;
- (b) Easter vacation; and
- (c) Summer vacation.

(2) The Christmas vacation shall commence not earlier than and end not later than dates fixed in each school year by the Minister, and shall consist of Christmas Day, New Years Day and not less than five and not more than ten working days.

(3) The Easter vacation shall commence not earlier than the Wednesday immediately before Good Friday and shall end on the date of the day immediately after the fourth consecutive working day following Good Friday.

(4) The Summer vacation shall commence not later than the date of the first Friday in July and end on the First Sunday in September in that year.

PART V

STUDENT COUNCILS AND PARENT TEACHERS ASSOCIATIONS

Student Council.

18. (1) Every school shall have a Student Council whose constitution shall be determined by the specific requirements and circumstances of the school.

(2) A person who is not enrolled or admitted as a student of a school is not eligible to membership in the student council of the school.

(3) Every student council shall elect an executive body from among its members.

(4) The constitution of the Student Council of a school shall be submitted to the principal of the school for ratification.

(5) There shall be, in respect of the Student Council of a school, a student liaison officer who shall be a member of the staff of the school.

(6) The meetings of the Student Council may be scheduled on the school timetable.

(7) The frequency of the meetings referred to in sub-regulation (6) shall be agreed upon between the principal and the executive of the Student Council.

(8) Unscheduled extraordinary meetings may be held with the permission of the principal.

(9) In the drawing up of school rules and policies including issues meriting suspension of students, the Student Council shall be invited to make a contribution on behalf of the students.

(10) The Student Council shall present the views of the student body to the principal for consideration.

(11) The principal of a school shall, through the Student Council, ensure that opportunities are given for students enrolled at the school to evaluate their teachers and programmes of study.

(12) Subject to this regulation a student council shall determine its rules of procedures.

National Students Council.

19. (1) There shall be a National Students Council made up of not more than two delegates from every Student Council in St Christopher and Nevis.

(2) The Minister shall appoint persons to represent the Ministry on the National Students Council.

(3) There shall be one representative for every level of school that is represented in the National Students Council.

Responsibilities of National Students Council.

20. (1) There shall be one representative of the National Students Council on the National Text-Book Committee.

(2) The National Students Council shall represent the views and interests of its member Student Councils to the Chief Education Officer.

(3) The Ministry shall mobilize students of the National Students Council to assist in educational projects.

Parent-Teacher Associations.

21. (1) Every Parent-Teacher Association at each school shall comprise parents of students currently registered at the school, and the principal and teachers of the school.

(2) The principal shall take the initiative to encourage the formation of the Parent-Teacher Association.

(3) The duties and responsibilities of the Parent-Teacher Association will be determined by the specific requirements of the school or the group of schools as the case may be.

National Council of Parent-Teacher Associations.

22. (1) The Minister shall encourage the formation of a National Council of Parent-Teacher Associations.

- (2) The objectives of the National Council of Parent-Teacher Associations shall be to
- (a) be a forum for the discussion of matters of national dimensions;
 - (b) facilitate the implementation of school policies;
 - (c) monitor the preservation of standards in the public education system;
 - (d) serve as a communication link between parents and the Chief Education Officer;
- (3) The National Council of Parent-Teacher Associations shall consist of one representative of every Parent-Teacher Association.
- (4) There shall be an executive body of the National Council of Parent-Teacher Associations consisting of not more than 15 persons elected from among its members who shall determine its rules of procedure.

PART VI

Registration of Private Schools

23. **Registration.** (1) An application made under section 96 of the Act for a permit to establish a private school or under section 94 of the Act to register an existing private school shall be made on Form 1 of the Schedule.
24. **Consultation.** The Minister shall consult the Education Advisory Board, in considering an application made under section 94 or 96 of the Act:
- (a) in satisfying himself whether the requirements specified under section 97 of the Act have been met;
 - (b) in deciding on the conditions subject to which a permit may be granted;
 - (c) in determining the maximum number of students who can be admitted to a school under section 100 of the Act; and
 - (d) in deciding any other matter that he considers necessary respecting private schools.
25. **Private Educational Institutions Register.** The Chief Education Officer shall enter in the Private Educational Institutions Register, referred to under section 95 of the Act, the following particulars as regards each private school issued a permit or registered
- (a) the particulars required to be mentioned in a permit under section 101 of the Act;
 - (b) the name and particulars of the principal of the private school;
 - (c) the day the permit is issued;
 - (d) the particulars of any notice served on the proprietor of the private school under section 108 of the Act;

- (e) the particulars of any refusal, modification, transfer or revocation of a permit held by the applicant or cancellation of the registration of the private school;
- (f) the particulars of any conviction of a permit holder for breach of the Act or these Regulations.

26. **Grant of permit** (1) Where the Minister is satisfied that the application meets the requirements of section 96 of the Act, he may grant a permit for the registration of the Private School.

(2) Where a permit is issued to an applicant to operate a private school in accordance with section 92 of the Act, the permit holder shall administer and operate the private school in accordance with the Act, Regulations made under the Act and such conditions as the Minister may stipulate in the permit.

27. **Display of permit** The holder of a permit shall ensure that the permit issued in accordance with section 92 of the Act is prominently and conspicuously displayed at all times at the school.

28. **Renewal of permit** (1) For the purposes of section 103 of the Act, a permit holder who wishes to renew his or her permit shall apply in writing to the Minister for such renewal not less than six months before the expiry date of his or her permit and such applicant shall furnish the information prescribed in regulation 23.

(2) The Minister may in writing request any permit holder who is seeking a renewal under sub-regulation (1) to furnish him with any register, record, book or relevant document and the permit holder shall furnish the documents within the time stipulated in the written request.

29. **Revocation of permit** (1) Where the Minister has reasonable grounds to believe that a permit holder does not or has failed to operate or manage a private school in accordance with the provisions of the Act or these Regulations the Minister may give the permit holder notice of such failures and reasonable time to remedy the failures.

(2) Where after expiry of the time referred to in sub-regulation (1) the permit holder fails or is unable to remedy the failures, the Minister may subject to sub-regulation (3) revoke or cancel the permit.

(3) The Minister shall not cancel a permit to operate a private school unless the Minister gives a reasonable time to the permit holder to explain why the permit should not be revoked or cancelled.

PART VII

CLOSURE AND DISCONTINUANCE OF SCHOOLS

30. **Minister may request closure.** (1) The Minister may direct the temporary or permanent closure of a school if any of the conditions set out in section 34 of the Act have occurred and in the case of

- (a) an assisted private school, if such a school does not operate in accordance with the terms of any agreement made in accordance with the Act; or
- (b) a private school if the permit granted in respect of the private school is revoked pursuant to regulation 29.

(2) The Minister may, on the advice of the Chief Education Officer, cause or request a school to be closed if the Minister is satisfied that

- (a) the school building has become structurally unsafe or dilapidated;
- (b) the school plant is unsanitary and dangerous to health;
- (c) an evacuation or transfer of the population from the area in which the school is located has been effected;
- (d) there is a natural disaster, enemy action, or widespread civil commotion or any other sufficient reason that renders it inadvisable to permit the school to remain open;
- (e) the school is operating in a manner contrary to the public welfare;
- (f) the practices and operation of the school are not compatible with national educational goals; or
- (g) in the case of a private school, the school does not provide instructions to its students to a standard that would ensure a reasonable proportion of the students success in recognized public examinations.

(3) The Chief Education Officer shall not advise the Minister to direct the closure of a school under sub-regulation (2)(a) unless the Chief Technical Engineer or a qualified engineer submits the report stating that the school building is structurally unsafe or dilapidated.

(4) Where a private or assisted private school is closed temporarily or permanently pursuant to this regulation, the authority and principal of the school shall deliver to the Minister or to the Chief Education Officer copies of such records of the institution as the Minister or the Chief Education Officer may require.

31. **Notice of intention to discontinue private or assisted private schools.** (1) Except as otherwise provided in the Act or these Regulations, the proprietor or authority of a private school or an assisted private school shall not discontinue such a school unless

the proprietor or authority of the school gives the Minister six months notice in writing, of the intention to discontinue the school.

(2) Where notice of intention to discontinue a school under this regulation is given to the Minister in accordance with sub-regulation (1), or where such intention otherwise comes to the knowledge of the Minister, the Minister may take such steps as he considers necessary for the continuance of the education of the students in the event of the discontinuance of the school.

PART VIII

Miscellaneous

32. **Fees.** (1) Subject to sub-regulation (2), a principal may charge and collect fees to cover expenses incurred in the administration of the school, with the approval of the Minister.

(2) The proprietor of a private or assisted private school shall not increase fees or charge new fees without the approval of the Minister.

(3) Where a proprietor of a private or assisted private school intends to increase the fees at the school, the proprietor of the school shall give at least one term's notice in writing to the Minister and to the parents of the students of the intention to increase the fees respecting the school.

(4) Every school shall, in establishing the quantum of any fee to be charged or collected, adopt rules for waiving and reducing the fee in cases of a student whose parents by reason of their low income or financial status would have difficulty in paying the entire amount of such fee.

(5) Notwithstanding the provisions of this regulation

(a) where a student or parent requires a copy of a document in the control and possession of the principal, the principal may where practicable furnish a copy of the document for a fee to be determined by the principal;

(b) the principal of a public school may, on the basis of a resolution adopted at a general meeting of the Parent Teacher Association called for the purpose of increasing fees charged and collected by the school and supported by a majority vote of members present and voting, increase such fees.

33. **Awards and graduations** A school may hold an annual prize-giving or graduation ceremony, the date of which shall be determined by the principal after consultation with the Chief Education Officer or, where applicable, the Board of Management of the school.

34. Books, teaching aids and materials. (1) The Minister shall, utilizing a participatory approach involving teachers, curriculum officers and subject specialists at all levels, prescribe the texts books to be used during a four year period.

(2) Subject to the provisions of the Act, the Ministry shall from time to time

- (a) issue the core booklist for schools;
- (b) provide to each public school teaching aids, materials, supplies and other equipment; and
- (c) supply, repair and maintain equipment,

as may be required to conduct the prescribed school programme in classrooms, school libraries, laboratories and such other area in which the school programme or a portion of the programme is conducted.

(3) The teaching aids, materials, supplies and equipment referred to in sub-regulation (2) shall be the property of the Ministry and shall be for the use of the students.

(4) No person shall sell, buy, rent, trade in or destroy in any way whatsoever any book, teaching aid, supplies, materials or related material provided under this regulation.

35. Organization of fund raising activities. (1) Every school activity in which students of the school are required to participate shall

- (a) in the case of a primary school, end no later than 4:00 pm; and
- (b) in the case of a secondary school, end no later than 5:30 pm,

except where the Chief Education Officer approves, in writing, of a different time.

(2) Every planning committee for any fund raising activity organized by the staff, students or Parent Teacher Association shall comprise at least the principal or a member of staff, of at least five years standing as a teacher designated by the principal.

(3) The principal shall discuss a proposal for a fund raising activity with the Chief Education Officer and the Board of Management of the School, not less than one month prior to the submission of the such proposal for approval.

(4) The school shall ensure that invitations to a fund raising activity to be held pursuant to these Regulations are by ticket or by such other form of document so as not to exceed the permitted capacity of the venue to be used for the holding of the activity, function or event.

(5) Where a fund raising activity involves

- (a) the entire student body of the school, the teachers employed at that school shall attend in order to assist in the supervision of the students;

(b) the participation of both male and female students but not the entire student body , teachers of both genders, where practicable, shall attend the activity.

(6) Every ticket or sheet in relation to a raffle, sponsored walk or such other fund raising activity shall bear the stamp of the school which shall be authenticated by the signature of the principal of the school.

(7) The principal shall ensure that the students do not during school hours frequent public places to solicit sponsorship or to conduct any fund raising activity.

(8) The principal shall ensure that a financial statement in respect of a fund raising activity is presented in such form as the managing authority may prescribe to the staff and the Parent Teacher Association of the school.

36. Complaints and investigations. (1) Where a teacher, principal, education officer, parent or adult student has reasons to believe that a person other than the Chief Education Officer has acted in a manner contrary to the Act or these Regulations, the teacher, principal, education officer, parent or adult student may file a written complaint with the Chief Education Officer regarding the act.

(2) The complaint filed shall contain the reasons that caused the complainant to believe that the contravention complained of under sub-regulation (1) has occurred.

(3) Subject to sub-regulation (4) and (5), the Chief Education Officer shall, within two weeks from the date of receipt of the complaint and upon giving notice in writing to:

- (a) the principal; and
- (b) the person against whom the complaint is filed,

cause an investigation to be conducted of the alleged violation which is the subject of the complaint.

(4) The notice referred to in sub-regulation (3) shall contain the substance of the alleged violation and a request to the person referred to in paragraph (b) of that sub-regulation for a written response to the complaint.

(5) The chief Education Officer shall not initiate an investigation under this regulation

- (a) if the complaint is not in writing;
- (b) if the complaint is filed any time after thirty days immediately after the date of the alleged violation or of the date that the complainant knew or reasonably should have known of the alleged violation; and
- (c) unless he or she is satisfied that the complainant has made the necessary efforts to have the matter which is the subject of the complaint resolved by the relevant principal.

**SCHEDULE
FORMS**

FORM 1

(Regulation 10)

EDUCATION ACT NO. 9 OF 2005

Application for Permit to Establish and Register a Private Educational Institution

(Section 94 and 96)

1. Name of applicant _____.
2. Address of applicant _____.
3. Name of School _____.
4. Address of School _____.
5. Name and address of the proprietor _____.
6. Name and address of the principal _____.
7. Name and address of the person to whom correspondence on matters relating to the school are to be sent _____.
8. Name and address of the proprietor or owner of the building in which the business of the school is carried on and the type of tenancy applicable _____.
9. Number of students who will be admitted to the school _____.
10. Age and gender of students for whom there is accommodation at the school _____.
11. Number of teachers presently employed, or to be employed, at the school _____.
12. Educational qualifications of teachers _____.
13. A description of the School building and its grounds (attach surveyor plan) _____.
14. Evidence of the need of the school in the community (attach additional information if applicable) _____.
15. Aims and objectives of the school _____.

16. A statement regarding the philosophy, outcomes, content, scope and sequence of each course offered or to be offered at the school _____.

17. Outline of instructional strategies to be used _____.

18. Number of instructors for each course _____.

19. List of major learning resources for each course approved by the proprietor of the school _____.

20. Outline of the evaluation strategies and procedures _____.

21. Fee(s) to be charged _____.

22. Time at which the school day commences and ends including break and lunch periods _____.

23. Subjects and the level to which those subjects are to be taught and the examinations to be taken _____.

24. Describe the accommodation provided, including:

- (a) the number of classrooms _____
- (b) recreation rooms _____
- (c) separate toilet facilities for male and female teachers _____
- (d) separate toilet facilities for male and female students _____
- (e) water supply _____
- (f) canteen facilities _____
- (g) safety measures _____
- (h) other _____.

EDUCATION ACT NO. 9 OF 2005

Request for student to be excused from Religious Education or Instruction

Section 146 (5)

Name of Parent_____

Name of Student_____

Religion of Student _____

Name of Religious leader (where applicable) _____

Reason for request (optional)_____

Signature of Parent

Signature of Religious leader
(where applicable)

Made the day of , 2011.

Nigel Carty
Minister for Education