

National Report
on
Higher Education in
The Commonwealth of
The Bahamas

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Notes:

For the sake of clarity we use AA to include all types of degree at the Associate's level. Likewise, we use BA and MA to include all types of degree at the Bachelor and Master's level.

Qualifications for entry to the same programme often vary depending upon whether the applicant is a high school student or is a mature student, or whether full-time or part-time. For clarity and for the sake of comparison, we focus entry requirements on those for full-time, traditional (those direct from high school) students with qualifications from Bahamian public examinations.

Abbreviations

AA: Any degree at the Associate's level. This can be AA, AS etc.

BA: Any degree at the Bachelor's level. This can be BA, BSc

MA: Any degree at the Master's level. This can be the MA, MSc, MBA

F: Female

M: Male

HISTORICAL DEVELOPMENT OF HIGHER EDUCATION

Higher Education

A clear change in direction in higher education can be seen with the formation of the College of The Bahamas in 1974 when the government made sweeping changes in its approach to higher education. Since that time the number and types of institutions available and opportunities for students to undertake higher education studies within the country have increased. Consequently we consider higher education in the pre- and post-1974 periods.

Higher and further education prior to 1974

The first local institution of higher education was a teacher training college which opened in 1891, but soon closed, in 1894. In the 1950s it was felt that the population of The Bahamas was too small to sustain a secondary education institution other than a teachers' college. Thus in 1950 a college was opened in Oakes Field but closed in 1957. However, this college reopened as the Bahamas Teachers' College, in 1961; seven years later in 1968 the San Salvador Teachers' College was opened.

In 1964 The Bahamas became affiliated with the University of the West Indies.

In 1966, the Technical Institute (which had opened in 1962) was renamed the Nassau Technical College.

Attempts at establishing local higher educational institutions began in earnest in 1967 when the Progressive Liberal Party took over the leadership of the government and introduced a policy of Bahamianization the focus of which was to ensure "wherever possible, that all jobs in the society and especially those in middle and top/upper echelons of the occupation structure should be held by Bahamians" (Bacchus, 1976).

In 1968 the Nassau Technical Centre was established.

The Technical Institute and the Nassau Technical Centre were amalgamated into the C.R. Walker Technical College In 1971.

Until 1974, higher education was confined to teacher education at the Bahamas Teachers' College in New Providence, and the San Salvador Teachers' College in San Salvador; technical education at the C.R. Walker Technical College, New Providence, and evening institute courses. Teacher training courses for teachers were of three years' duration and moderated by the University of the West Indies (UWI) Institute of Education.

Technical courses were offered in day-release programmes. Programmes offered included areas such as cosmetology, mathematics, hotel training and plumbing. The *Certification for Bahamas Boiler Operators* was externally assessed by the Ministry of Consumer and Commercial Relations of Ontario's Certification Board, whose course in Stationary Plant Engineering was being followed at C. R. Walker Technical College. Many of the courses

terminated in both local and external examinations and many basic practical courses had local certification.

Higher and Further Education Post 1974

The establishment of a local institute of higher education was formally proposed in 1968 by a team of UWI educators lead by Leys ,who were invited “to advise on the establishment of a Bahamas College”. It was proposed that the college would have two important features: (1) be “a single institution combining a wide variety of functions” and (2) be “a single strong independent and influential institution”.

The Bahamas Hotel Training College (BHTC), established in 1973, commenced student enrolment in 1974 for diploma programmes. It was an accredited member of the Southern Association of Colleges and Schools (SACS), the Commission on Occupational Educational Institution (COEI) and the American Culinary Federation (ACF) until 2000. The BHTC had two campuses, one located on New Providence and the other in Grand Bahama.

In 1974, The College of The Bahamas was created by an act of parliament and “was meant to be the major and, possibly in the future, the only publicly supported post-secondary educational institution in the Commonwealth” (Bacchus, 1976). The formation of the College resulted from the incorporation of the Bahamas Teachers’ College, the 6th form of the Government High School, the San Salvador Teachers’ College and the C.R. Walker Technical Institute. Additionally, the College “assumed responsibility for the ‘post high school’ programmes, essentially the G.C.E.¹ ‘A’ level courses” (Bacchus, 1976).

Over the years of its existence, The College of The Bahamas has undergone many developmental changes including:

- The amalgamation with The Bahamas School of Nursing in 1991
- The establishment of a Research Unit to contribute to national development through research in 1992.
- The establishment of a Centre for Entrepreneurship in 1997.
- The establishment of a Campus in Grand Bahama in 1986 and
- The establishment of the Exuma Centre in 1993
- On Andros and San Salvador the College has research-based field stations: The Bahamas Environmental Research Centre and the Gerace Research Centre, respectively.
- The amalgamation with The Bahamas Hotel Training College in 2000

The Bahamas Baptist Community College opened in 1995 it is a private denominational institution governed by The Bahamas National Baptist and Educational Convention. The first offshore colleges to operate in The Bahamas, The College of St. Benedict (later renamed the Benedictine University) opened in 1974 and closed in 1999. One year later in

¹ General Certificate of Education

1975, the University of Miami established an office and offered MBA, M.Ed. and BA courses. Its MBA course has been offered since 1976.

The College of Professional Accountancy (COPA) was founded in January 1984; one year later, COPA became Bahamas Business College (BBC) to expand its offerings beyond the accounting field. It changed its name to Galilee College in 1995 to become a member of the consortium of the Galilee Institutions. Although it describes itself as a consortium, the only two institutions are Galilee College and Galilee Academy.

Sojourner Douglass an institution based in Maryland, USA, opened in 1988.

Nova Southeastern University out of Florida opened in Grand Bahama in 1993 offering MBA degrees, and later moved to New Providence. Atlantic College which offers programmes at the Associate's, and Bachelor's levels. opened in 1995.

St. Thomas University established a presence in The Bahamas in 1995 offering a Master's Degree; however, the institution became inactive in The Bahamas in 2002.

In 2001, Omega College, an affiliate of St. Thomas University, Miami was established in New Providence.

STRUCTURE AND FUNCTIONING OF HIGHER EDUCATION

Types of Higher Education Institutions

In The Bahamas, higher education institutions are either publicly or privately managed. At present there are no local universities and the highest qualification local institutions offer is at the Bachelor's level. Apart from The College of The Bahamas and the Bahamas Technical and Vocational Institute, all other higher education institutions are privately funded.

The College of The Bahamas is the predominant higher education institution in the country; however, other, non-state funded institutions make important contributions to higher education, particularly at the post-graduate level. Two of these are religious institutions and all accept non-traditional aged students; in fact some cater almost exclusively to mature students. Overseas-based institutions having satellite campuses in the country offer postgraduate qualifications.

Features of Public and Private Institutions

Public Institutions

The College of The Bahamas the only college in The Bahamas which receives government funding, is governed by the College of The Bahamas Act 1995. It is a semi-autonomous body in that while it receives a subvention from the government it can raise its own funds as well as disburse them without government intervention. It is governed by a Council whose members are appointed annually by the Head of State the Governor General. The regulations concerning the structure and function of the College are given in Appendix 1. While its main campus sites are located in New Providence, the capital island of The Bahamas, other sites and centres are to be found in Grand Bahama, (the Northern Bahamas campus) Exuma and Abaco. Its two field stations (research centres), The Bahamas Environmental Research Centre and the Gerace Research Centre are located in Andros and San Salvador.

The Bahamas Technical and Vocational Institute opened in 1980 and is government funded. Its mission is to “produce highly skilled individuals with strong work ethics through market-driven career and technical education and training enabling them to achieve national and international credentials and participate in national development”. While it does not offer academic courses, it provides training for persons requiring technical skills.

There are three other publicly funded institutions which are also considered “major” training institutions. These are: the Police College, the Public Service Training Centre and the Bahamahost Programme. The Police College provides training for police recruits and serving officers. Students range from those with minimum qualifications to others with undergraduate or postgraduate degrees. The Public Service Training Centre is the training arm of the Department of Public Personnel and offers programmes aimed at improving the capabilities of civil servants at all levels. The Bahamahost Programme offered by the Ministry of Tourism is a “lecture and self improvement scheme” designed for those in the

tourism industry with the aim of improving service and visitor satisfaction. However, these institutions do not issue degrees.

Local, private institutions rely either on tuition fees or the backing of a parent organization (or both) to function. Unlike the publicly funded institution, they rely on many part-time faculty and many of their students are part-time.

Summary of laws and legislation related to higher education in The Bahamas

The laws that govern higher education in general summarized below, are found in Appendix 2.

The Ministry of Education “registers” education institutions according to the guidelines in Appendix 3. The process of registration requires that the institution have the necessary governance, as well as resources (human and material) appropriate to its mission. Additionally, institutions can be recognized by the Department of Public Service, which means that the qualifications they confer are accepted by the civil service as proof of competency.

Laws and legislation related to higher education in The Bahamas include the Education Act, The College of The Bahamas Act and subsidiary legislation related to the Education Act. Over the years slight amendments to various sections of the Education Act have occurred. As well, The College of The Bahamas Act was amended in 1995. Table 1 lists the name of each Act and related commencement and amendment dates.

Table 1: Acts Relating To Higher Education

Name Of Act	Date Of Act	Commencement Of Act	Amendments To Act
Education Act, Chapter 36, Statute Laws of The Bahamas	23 rd May 1962	Commencement 1 st September 1962	15 of 1962; 26 of 1963; 57 of 1063; 56 of 1965; 8 of 1968; 30 of 1968; 15 of 1970; Existing Law Amendment Order 1974; 1996 (21 / 1996); S. I. 50/1998
The College of The Bahamas Act, Chapter 37 of The Statute Laws of The Bahamas	30 th October 1974	Commenced 19 December 1974	The College of The Bahamas Act was amended in 1995

Chapter 36, Section 28 of the Education Act addresses Further Education. The duties of the Minister of Education to secure provisions of adequate facilities for the offering of further education to persons over the compulsory school age (full/part-time education, cultural

training, technical education) are addressed. The Act gives the Minister the power to establish such institutions with the appropriate regulations and guidelines for their operation. It also mandates that a register of these institutions be maintained and the consequences for those persons who fail to operate outside the regulations.

The Act specifically indicates that the term ‘university’ is not to be used in the description of a title of an institution, on its letterhead, etc. or to grant degrees under the title of university (Section 31).

“Institution” defined in the subsidiary legislation refers to Nassau Technical College (now ceased) and any other Technical College which may from time to time be established by the Minister of Education.

The Act also addresses the matter of tuition and fees for institutions offering higher education, the provision of bursaries for students (housing and tuition assistance) [Section 39] and the need for the Minister to ensure adequate manpower for the teaching profession (Section 40).

The operation of The College of The Bahamas is described in Chapter 37. It speaks to the appointment of officers such as the President.

The Subsidiary Legislation of The Bahamas prepared under the provision of the Law Reform Revision Act contains rules, regulations, orders, articles, etc. made under the Constitution and the various Acts contained in the Statute Law of The Bahamas 1987 and certain of the orders of Her Majesty in Council remaining in force after independence.

The rules and regulations related to the Education Act are found in Chapter 36 of the Subsidiary Legislation of The Bahamas. There is no subsidiary legislation related to The College of The Bahamas Act.

The Education (Technical Training Institutions) Regulations Section 30 of Chapter 37[Commencement 19th April, 1971] describes some of the powers of the Minister of Education and identifies how institutions should be run with respect to management and finances. More specifically it:

- Indicates when and how the estimated budget is to be submitted
- Assigns the responsibility for accounting of disbursed funds.
- Stipulates that tuition fees are determined by the Minister but other fees for use of the facilities at the institution by outside groups can be set by the Principal under direction from the Minister
- Outlines the procedure for the appointment of Principal and lecturers and their condition of service. Even though the Minister determines the general educational character of the institution, the responsibility for the day-to-day operations of the institution is that of the Principal.

The Institutions of Further Education (Registration) Regulations (Section 30) [Commencement 4th February, 1971].

These regulations define institutions as college, university, school or other organized institutions which offer courses of further education. They set out stipulations for the registration of the institution (sent to Director of Education and Culture) (now with the Ministry of Education) as well as requirements for annual update of changes (October), e.g. enrolment, faculty, address information and indicates the consequences for failing to adhere to the procedures.

In addition to the above referenced Acts, the Bahamas Field Station / Ministry of Education Agreement (1971) allows participating accredited institutions in the United States of America to offer full tuition scholarships for study at their institution while the Ministry of Education pays board and lodging charges.

In 2001, The Educational Guarantee Fund Act was passed. The purpose of the Act is to provide for the guarantee by the Government of The Commonwealth of The Bahamas of educational loans by financial institutions to students wishing to study at approved institutions. (See Appendix 4).

Systems of evaluation and accreditation of higher education institutions

As of February 2005, the Ministry of Education had registered 65 post-secondary institutions (excluding BTVI and The College of The Bahamas), of which 17 are no longer operating. These are listed in Appendix 5. Of the operating and registered institutions, 13 offer AA degrees or higher. Of these institutions, AA degrees, or higher from 11 of them are recognized by the Department of Public Service (Table 2). Additionally, certificates from the government-funded Bahamas Technical and Vocational Institute are recognized.

In the absence of a local accreditation body the Department of Public Service could be considered as a proxy accreditation agency. The institutions from which the Department of Public Service recognizes qualifications are listed below.

Table 2: Level of highest qualification accepted by the Department of Public Service.

Name of institution	Level to which qualifications are accepted
Atlantic College	AA
Galilee College	AA
Nova Southeastern University	MA
Omega College	BA
Sojourner Douglass College	BA
Success Training College	AA
The Bahamas Baptist Community College	AA
The Bahamas Technical and Vocational Institute	Certificates
The College of The Bahamas	BA
University of Miami	MA
University of the West Indies	MA

Source: Department of Public Service, personal communication, Simms, (2005).

The local institutions whose qualifications are accepted by the Department of Public Service will be described in detail. Institutions which are based overseas but have satellite campuses in The Bahamas will be described cursorily.

Range of programmes offered by higher education institutions

A summary of the range of undergraduate programmes offered by higher education institutions at the AA level is indicated in Table 3.

Table 3: Programmes, by area, offered by higher education institutions in The Bahamas at the AA level.

	Languages	Business	Creative Arts/ English	Sciences	Social Sciences/ Religion/Law	Nursing Allied Health	Education	Hospitality
Atlantic College		√		√	√			
Galilee College		√	√		√		√	√
Omega College		√						
Success Training College		√	√	√	√	√*	√	√
The Bahamas Baptist Community College	√	√	√	√	√		√	
The College of The Bahamas	√	√	√	√	√	√	√	√

Success Training College focuses on AS type degrees.

* Pharmacy.

Galilee College offers the CPA Review Programme which is a specialty of the College.

Success Training College assists students who are preparing for the BSc programme with the University of London, the University of Wolverhampton, UK as well as an LLB programme with Huddersfield University, UK.

The Bahamas Technical and Vocational Institute offers certificates and diplomas only.

The College of The Bahamas offers professional certificates and diplomas in nursing and teacher education. It also puts on specific upgrading courses for teachers etc. at the request of the Government.

At the undergraduate level, The University of The West Indies offers distance learning (teleconference education) Bachelor degrees. The School of Continued Studies offers two programmes, Addiction Studies (diploma programme) and The Commonwealth Youth Programme (certificate programme). Both the certificate and diploma programmes are part-time. A certificate in Management Studies is offered in collaboration with The Bahamas Baptist Community College.

A summary of the range of undergraduate programmes offered by higher education institutions at the BA level is indicated in Table 4.

Table 4: Summary of undergraduate programmes offered by higher education institutions at the BA level.

	Languages	Business/ Computing	Creative Arts/ English	Sciences	Social Sciences/ Religion /Law	Nursing	Education	Hospitality
Atlantic College		√		√	√			
Nova South eastern University		√						
Omega		√						
Sojourner- Douglass College		√			√		√	
The College of The Bahamas	√	√	√	√	√	√	√	√
UWI		√		√	√		√	

Postgraduate studies

No local institution offers post-graduate degrees of their own (Table 5). However, institutions, either foreign based or local, in collaboration with overseas universities, offer students the opportunity to study for a post-graduate qualification while living in The Bahamas.

Nova Southeastern University offers Master's Degrees (MBA, MSc Human Resource Management.) Clusters exist in Freeport and Nassau.

Sojourner-Douglass College offers an MA degree in Applied Social Sciences which concentrates on Public Administration, Urban Education and Human Services. Its first group of MA students will graduate in 2005. The University of Miami offers an MBA.

Currently, The College of The Bahamas offers Masters degree programmes in the area of Education in association with Kent State University, Ohio, North Carolina Central University, North Carolina and, The Franciscan University Iowa in the USA.

The University of the West Indies offers distance-learning Master's degrees in Counselling and Education.

While overseas-based institutions offer PhD programmes, these are not offered without the student spending time outside of The Bahamas.

Table 5: List of higher education institutions offering their own MA programmes in The Bahamas

	MA offered
Nova Southeastern University	√
Sojourner-Douglass College	√
University of Miami	√
UWI	√

Evaluation and accreditation

The Ministry of Education has no formal accreditation process. It does, however, encourage institutions to engage in memoranda of understandings or other similar agreements with reputable institutions.

The Ministry of Education is intending that The Bahamas will have its own accreditation body, the National Accreditation and Equivalency Council of The Bahamas. This will be independent of the Ministry and allow programmes to be accredited within The Bahamas. Currently, the Department of Public Service recognizes 17 accrediting bodies operating in the North American, Latin American and Caribbean Regions. These are listed in Appendix 6.

Courses offered by some institutions are accredited locally. For example: the Ministry of Health, through the Nursing Council determines the standards for nursing qualifications, and the Ministry of Education/Department of Education in collaboration with the College of The Bahamas determines the standards for teacher education programmes.

The Bahamas Baptist Community College, reviews courses every 4-5 years and when professional societies implement new educational changes/strategies/trends. Reviews are made at the Divisional level and ratified by the Academic Board. External advisors may participate at both decision-making levels.

Technical qualifications from The Bahamas Technical and Vocational Institute are also accepted locally for the purpose of licensing electricians etc.

The College of The Bahamas reviews courses at a School, and Academic Board level. Outside advisors may contribute to the programme content. New courses must demonstrate the ability to satisfy a real demand for that area of study.

Internationalization of Higher Education and inter-institutional cooperation

There has been ever increasing internationalization of higher education since the arrival of the first overseas university office in the 1970s. Further, the advent of distance learning courses has made higher education accessible in students' homes.

As well as the delivery of overseas postgraduate programmes at local institutions, transfer of credit agreements between Bahamian overseas institutions allow for the free-flow of students to and from the country to enable them to complete their programme of study.

At Success Training College there are faculty and staff from six countries which account for 31% of the total.

Currently, at The College of The Bahamas among the faculty, there are 13 countries represented accounting for some 24% of all faculty, and students of at least 58 different nationalities have been enrolled.

Research, particularly in the marine sciences, at The College of The Bahamas field stations is probably the area of greatest internationalization. The importance of the Gerace Field Station field station is recognized by the international community and typified by bi-annual conferences which are held there to present research results, which in many instances are derived from research carried out at the station.

The absence of a Bahamian accreditation body means that to-date, accreditation for non-vocational or professional training has been entirely at the regional or international level. This has obliged local institutions to interact with entities overseas so that credits can be transferred into, and out of, the institution.

Galilee College has Articulation agreements with several accredited/regional overseas colleges.

The Commission on Colleges of the Southern Association of Colleges and Schools (SACS) of the United States of America accredits Nova Southeastern University.

Omega College has a Memorandum of Understanding and an Articulation Agreement with The College of The Bahamas. The College of St. Benedict/St. John's University, Minnesota, Cleveland State University and other universities in the USA accept its credits.

The Middle States Association of Colleges and Schools and the Maryland Commission on Higher Education accredit Sojourner-Douglass College.

Success Training College has articulation agreements with several institutions in the UK, US and Canada. Its programmes are reviewed every 1-2 years and subject to internal review. It has no student or faculty exchanges.

The Bahamas Baptist Community College programmes are recognized by local tertiary institutions and with international accredited institutions in the USA, Canada and the UK. In 2004 three faculty had the opportunity to participate in international events.

Credits from The Bahamas Technical and Vocational Institute are accepted at The College of The Bahamas, Success Training College and The Bahamas Baptist Community College. This is a reciprocal arrangement.

The College of The Bahamas has transfer credit arrangements, articulation agreements and delivery with 30 local, regional and North American institutions.

Credits from Galilee College can be transferred to certain colleges and universities in the USA.

The University of Miami MBA is accredited by the American Assembly of Collegiate Schools of Business International and SACS.

The University of Miami recently spent \$80,000 in renovating a classroom at The College of The Bahamas for the use of University of Miami and The College of The Bahamas students.

Overseas institutions contributed to the refurbishment of the Gerace Field Station following the damage caused by hurricanes in 2004.

Most higher education students are nationals. Overseas students are enrolled but represent a small fraction of the total. Success Training College has nationals from Barbados, Canada, Jamaica and Haiti. At The College of The Bahamas nationals from Bahrain, Barbados, Bermuda, Columbia, Cuba, Dominica, Germany, Grenada, Guyana, Ghana, Haiti, India, Turks & Caicos Islands, UK, USA, US Virgin Islands, Zambia, and numbered 79, in Fall 2003.

ACCESS TO HIGHER EDUCATION AND ITS DEMOGRAPHIC COVERAGE

As seen in the Table 6, below, for 2003 and 2004, 16% of the population over the age of 15 has college/university education, but disproportionately more females than males have education at this level in all but the oldest age groups. This gender imbalance will be seen again in the enrolment and graduation data (Appendix 7).

Students from higher expenditure households are more likely to be enrolled in higher education courses than those in lower expenditure households. When enrolment is viewed by household expenditure, enrolment at both the 17-18 and 19-24 year old groups is lower in the bottom three quintiles than the top two quintiles. However, while there are disparities between the quintiles, enrolment of 42.9% in the 19-24 year-old age group is far from low (Table 7). This figure may well reflect the fact that the government and other groups spend considerable sums on scholarships which results in many students getting a college education, even those from poorer households.

Table 6. Person 15 years and over by age, sex with college/university education.

Age group	2003			2004				
	Total	Male	Female	Total	Total	Male	Female	Total
15 – 19	2%	1%	2%	26096	2%	2%	3%	25286
20 – 24	13%	9%	18%	25347	10%	9%	11%	26630
25 – 34	20%	17%	23%	52919	20%	15%	25%	52919
35 – 44	19%	17%	21%	50950	19%	17%	22%	51181
45 – 54	22%	22%	23%	31546	21%	20%	22%	35525
55 – 64	16%	18%	15%	19322	16%	18%	14%	21767
65 +	9%	10%	9%	19064	8%	10%	6%	17884
Not stated	20%	9%	27%	1956	17%	6%	24%	1472
Total of population	16%	14%	18%	227200	16%	14%	17%	232664

Source: Department of Statistics, Nassau.

Table 7: Percentage in age group enrolled in higher education by quintile group.

Household expenditure	Age groups	
	17-18	19-24
Quintiles 1, 2 & 3	15.1%	42.9%
Quintiles 4 & 5	30.8%	72.9%

Source: Bahamas Conditions of Living Survey, 2001.

In addition to scholarships, government has programmes to support “at-risk” students. Success Ultimately Reassures Everyone (SURE) Programme is such a programme which is offered as a special education learning environment for males who are experiencing behavioural problems in the classroom. Other programmes include one which supports teen mothers for re-entry into school or the workforce. Baby care for these students and students at The Bahamas Technical and Vocational Institute is offered.

Entry requirements and programme duration

At the AA level, entrance requirements for traditional students, to tertiary level institutions generally require five Bahamas General Certificate of Secondary Education (BGCSE) passes which must include English and Mathematics, irrespective of the programme of study. BA level programmes typically require an AA degree and the MA level a BA level degree. American Scholastic Assessment Test (SAT) scores can also be used to gain entry to first degree programmes. In 2004, 4,396 students sat BGCSE mathematics, of which 1,172 (27%) obtained a C grade or higher, and 4,283 sat English Language, of which 1,320, 31% obtained, a C or higher. Thus, it can be surmised that direct entry to degree programmes is limited to less than one third or about 1,300 high school students sitting BGCSE exams in 2004.

In addition to the general entry requirements listed below (Table 8), most institutions have their own College Preparatory Programme or admission examination which can also be used to gain entry to a programme. Different requirements exist for non-traditional aged students.

Most institutions require an application fee to be paid at the time of application. Some institutions have a minimum age of 17 for enrolment. Variations of the requirements listed above apply to non-traditional students. Non-traditional aged students can make up an important component of the population attending higher education institutions. Typically, these students study part-time.

At Atlantic College, the median ages of students were 32.8 years and 28.6 years for full-time students and 27.2 and 29.6 years for part-time students in 2002/03 and 2003/04 respectively.

Students at The Bahamas Baptist Community College come not only from The Bahamas but also from seven countries as far away as Thailand and China as well as from Africa.

At The College of The Bahamas in Fall 2003, 43% of students were part-time. The average age of these students was 28.1 (se:0.366) compared to 22.3 (se:0.176) for full-time students. Typically the enrolment by gender is 3:1 (female to male) at The College of The Bahamas, with the imbalance being greatest in non-business BA programmes, 4.1:1.

At the University of The West Indies, while Bahamians enrol in the Master's programme in Counselling, non-Bahamans resident in The Bahamas, enrol in the Bachelor's programmes.

Table 8: Requirements needed to enter various higher education institutions

	Basic minimum requirements for AA, BA, MA level programmes - high school applicants (Unless otherwise stated)
Atlantic College	5 BGCSE passes at grade C or higher, must include Mathematics and English, High School Diploma & GPA of 2.0 or more.
Galilee College	5 BGCSE passes at grade C or higher, must include mathematics and English
Nova Southeastern University	BA: AA & GPA of 2.0; MA: BA & GPA of 3.0
Omega College	5 BGCSEs passes or 5 GCE 'O' level passes with grades 'C' or above. Subjects must include Mathematics and English or SAT of at least 1,000 (500 in mathematics) or a pass in the College placement test.
Sojourner-Douglass College	BA: High School Diploma + assessment test MA: BA+ Graduate Record Examination, Miller Analogies Test or General Management Admissions Test + 3 years' work experience.
Success Training College	5 BGCSE passes including English and Maths at grade C or higher.
The Bahamas Baptist Community College	5 BGCSE passes at grade C or higher, must include Mathematics and English*, or SAT of 1000+ and GPA 3.0 for last two years at High School.
Bahamas Technical & Vocational Institute	Open Access for most programmes, but BGCSE pass at grade C or higher is appropriate area, electronics, Office Systems etc.
The College of The Bahamas	5 BGCSE passes at grade C or higher, must include mathematics and English, or SAT combined scores of at least 1000 and a "B" average in grades 11 and 12 or permission of Chair for AA programmes*
University of Miami	For MBA: BA (any area), min. score of 25 on the Executive Admission Index, full-time employment, min of 3-years of professional work experience, letter of recommendation
UWI	For B.Edu: Teacher's certificate + GCE 'O' pass in English or AA degree with GPA of 2.5 For MA: BA

*Specific requirements can also apply.

Entry requirements also allow for successful completion of upgrading programmes and the transfer of credits or SAT scores from elsewhere with the required GPA.

The time to study for a degree varies according to the programme and the method of study. Table 9 gives the typical time for full-time students. Times for "other certificates" are only given where an institution offers a limited range of certificates. Some larger institutions offer a range of certificates associated with professional development.

Table 9: Typical years of study for full-time students

	Typical years of study (full time)			
	AA	BA	MA	Other certificates
Atlantic College	2	4		
Galilee College	1.5-2			
Nova Southeastern University		2.5	1.5	
Omega College	2	4		
Sojourner-Douglass College		3	1.5	
Success Training College	2			
The Bahamas Baptist Community College	2-3			1-2
The Bahamas Technical & Vocational Institute				1
The College of The Bahamas	2	4		
University of Miami			2	
UWI		3	3	1-2

The mean time to programme completion tends to be the actual programme duration when the programme is cohort-orientated, but when programmes are flexibly structured, the actual time to completion can be longer than necessary to finish the programme (Table 10).

Table 10: Actual mean times to obtain qualification.

	Mean time (years) to obtain qualification			
	AA	BA	MA	Other certificates
The College of The Bahamas*	3.7	3.9		2.3
Success Training College	2.5-3.5			
University of Miami			2	

* Mature students could complete some older Bachelor's programmes in less than four years. Data cover graduates from the period 2000-2004.

The credit range for degrees is given in the Table 11. In the case of "liberal arts" degree programmes there are also prescribed credit ranges for both "general education" requirements and major subjects.

Table 11: Credit Range for qualifications

	Credit range			
	AA	BA	MA	Other certificates
Atlantic College	60-66	120		
Galilee College	66			18
Omega College	96	120		
Nova South eastern University		120	43	
Sojourner-Douglass College		132	39	
Success Training College	69-79			
The Bahamas Baptist Community College	63-67			8-13
The Bahamas Technical & Vocational Institute				Certificates 28-32 Diplomas 54-60
The College of The Bahamas	At least 60	120-140		
University of Miami			51	
UWI		66-90		

HIGHER EDUCATION ADMINISTRATION AND MANAGEMENT

The administration of the higher education institutions varies according to the nature of the funding of the institution and its size.

Atlantic College is an autonomous, religious college. While its BA degrees are religious in orientation, it offers AA degrees in Business, Criminal Justice and Human Services.

Galilee College is privately owned and its target audience is high school students, however, it has some working adults who attend part-time.

Nova Southeastern University is a private, not-for-profit, co-education, fully accredited institution.

Omega College is a private institution which targets adult students, however, in recent years, it has recruited high school students.

Sojourner-Douglass College is a private institution which seeks to provide tertiary level opportunities for by-pass students who are working adults.

Success Training College is a private institution which prides itself on its “family atmosphere” and small student-to-teacher ratio. The President, who also owns the College, is assisted by a board of directors and administrative staff in the running of the College. Appointments are made by the President with the approval of the board. There is no formal representation of students or staff in the governance of the College. The College is solely funded by fees.

The Bahamas Baptist Community College is a religious institution autonomous from government, but semi-autonomous in that The Bahamas Missionary and Education Convention deals with financial matters. It is the only community college and the largest private tertiary institution in The Bahamas. It has a Student Government Organization which represents students on various College boards. Being a small institution, faculty and staff play integral roles in all aspects of the College (e.g.: Academic and Administrative Boards).

The College of The Bahamas, which exists through an Act of Parliament, is governed by an appointed council (see Appendix 1). The College is currently being re-structured as it prepares to become a university. The Governor General appoints the Council on an annual basis. This Council has members from the private and public sectors of society. The President is appointed for a fixed term by the Council after a search has been engaged. Positions with the College are advertised internally, then externally, if no suitable candidate from within can be selected. Faculty and senior administration positions are advertised overseas as required.

Trade unions have representation in higher education. There are two main unions, these being: Union of Tertiary Educators in The Bahamas (UTEB) which negotiates terms and conditions of work for faculty members, and the Bahamas Public Services Union (BPSU) which performs a similar function for clerical and support staff.

In the spirit of shared governance the College of The Bahamas arrives at much of its decisions through committees. These committees usually include representatives from the unions, faculty, administration, staff and students. Where appropriate, a member of the student union (the College of the Bahamas Union of Students, COBUS) and relevant representatives from organizations outside of the College are also included.

The President of the College of The Bahamas is required to submit an annual report to government. The accounts must be audited yearly.

It should be noted that all appointments for employment within The Bahamas must be made in accordance with the Bahamianization policy of the government. Thus qualified Bahamians are offered positions in preference to international applicants. International staff are employed on contract of two year duration and the institution tries to limit the number of renewals to not more than three. Staff members showing commitment to the country, by applying for residency, may be considered for further employment.

All institutions are expected to provide the Ministry of Education with an annual report.

THE PRINCIPAL ACTORS IN HIGHER EDUCATION

Students, characteristics and evolution

Student enrolment has moved from about 1,000, in the mid-1970s to over 5,000 in a fall semester of the early 2000s. At the same time, the types of programmes offered have moved from an emphasis on vocational training and teacher education to a far broader range of programmes which now address not only education, nursing, business, hospitality and natural sciences, but also allied health, sociology and languages.

The student population has become even more dominated by females. This domination is typically greater in the part-time than full-time students. At the College of The Bahamas, female students are older than their male counterparts, both those in full-time and part-time programmes. At the same College, proportionately more females than males prefer BA programmes than at the AA level. The result of the choice of females to obtain higher-level degrees is clearly seen in the education statistics from 1980 to 2000. Further, the same data show how the number of persons in the population with college education more than doubled since 1990, Table 12.

Table 12: Numbers of persons over 15 years with at least one year of college education.

	Females	Males	Female:Male ratio
1980	2,846	2,624	1.08:1.0
1990	8,290	7,369	1.13:1.0
2000	15,926	12,575	1.27:1.0

Department of Statistics, Nassau.

A summary of the number of students graduating at selected institutions is given in Appendix 6.

Scholarships.

Government and other agencies, both local and international provide scholarships for higher education study both at home and abroad. From 1992 to 1997/98, government commitment to student assistance moved from over \$1.03 million (excluding teacher education Grants and tuition fees) to about \$3.24 million. In 2000, government guaranteed loans were instituted and the amount set aside for this is now \$12 million. Thus, assistance to students exceeds \$13 million and reflects an opening up by government to allow more people to participate in higher education both at home and abroad. Of the number of students receiving loans or bonded scholarships, 78% study in the USA.

There are four basic types of support:

- Government Grant for those wishing to become teachers and are not currently employed by the Ministry of Education (tuition plus \$475-\$556 per month for eight months) and those wishing to become nurses (tuition plus \$475 per month).
- Financial assistance by which teachers who hold the AA degree have 2/3rds of tuition paid plus salary by the government) (typically 100-135 students/year obtain assistance)

- Bahamas Government Bursary for studying all other subjects except education (tuition plus an allowance for expenses).
- Government Guarantee Loan Program

Government scholarships for in-country education are only available for programmes offered at The College of The Bahamas.

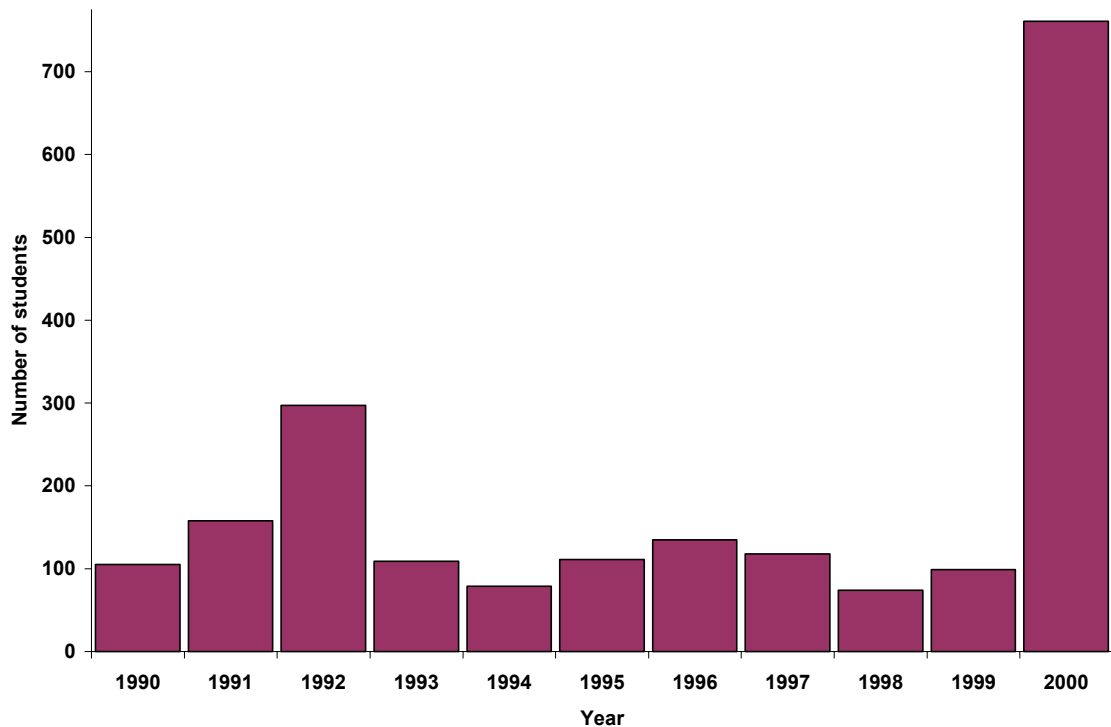


Figure 1: Number of students receiving government assistance for higher education, 1990-2000.

In addition to government scholarship programmes, the private sector and other organizations offer scholarships to students. These can range in total value from less than \$1,000 to \$25,000. A range of conditions may apply to eligibility including nationality, place of study, minimum GPA etc. In the Fall Semester of 2004, 1,380 students at The College of The Bahamas had scholarships valued at \$1,322,915 from 117 sources.

The rise in scholarship expenditure has resulted in a increase in student numbers (Figure 1) despite the increased costs of educating each student associated with increased tuition fees and boarding charges as well as an increase in the length of time required to complete programmes of study (Personal communication, D. Thompson, 2005).

The fact that credits obtained from higher education institutions can be transferred to institutions outside the country enables students to complete their studies elsewhere. This combined with the loans which students can obtain to assist with funding higher education has resulted in a much higher percentage of The Bahamian population studying in North

American institutions (about 0.7%) compared with other Caribbean countries (typically less than 0.3%). However, no comprehensive data on the numbers of Bahamian students studying overseas appear to be readily available.

Atlantic College offers no financial aid to students, but accepts students on the Government Guarantee Loan Scholarship.

Galilee College can provide mean-tested assistance to students. Both academic and athletic scholarships are offered.

Nova Southeastern University offers a 15% discount on fees, textbooks are given as a gift when tuition fees are paid, 1 scholarship is given for both the Master's Degree and Bachelor's Degree, and alumni receive a discount of 25%.

Omega College students, who transfer to St. Thomas University after two years and have a GPA of 3.0, are eligible for a \$10,000/semester scholarship. At the AA level, the College offers no assistance for students.

Sojourner-Douglass College gives a discount on fees when payment is made in full at registration.

Success Training College gives a discount to students with high GPA. About 10% of students in Spring 2005 were receiving internal scholarships of some kind.

The Bahamas Baptist Community College can offer its own scholarships (for typically 15-22 students a year). Also scholarships for about 13 students are provided by the banking sector. These scholarships can be worth up to \$23,000 per year.

The University of Miami gives a 25% discount on its credit hour cost for Bahamian students. Each student receives a \$14,599 fellowship to help offset the cost of tuition.

The University of the West Indies offers no financial aid to students registered in The Bahamas.

North American institutions, which use the Gerace Field Station, provide scholarships for Bahamian students to study at their institutions. The number of scholarships varies but for 2005/06 eight scholarships were offered.

Although there are opportunities for Bahamian students to study overseas (typically on scholarships) these opportunities are generally limited. In the case of foreign language students, some institutions organize summer schools in a country where the language is the mother tongue, thereby giving students the opportunity to enhance their language skills and experience the culture of the country.

Teaching and Research or Academic staff

Few institutions have dedicated research staff; in most instances researchers are full-time or part-time teachers.

Overseas-based institutions utilize full-time and part-time faculty. The smaller local institutions employ many part-time faculty.

At the College of The Bahamas, faculty are recruited locally and internationally in accordance with government policy. In 2004, there were faculty members from 13 countries outside of The Bahamas. The average age of faculty is 48 years. How the numbers of faculty and research staff have varied since 1990 is given in Appendix 8 for various institutions.

The entire faculty at Atlantic College is part-time. One quarter of the faculty is international.

Galilee College has 15 part-time faculty of which twelve are males and three are females. All faculty have at least a BA degree, although those teaching at the 200 level or over have an MA. Some lecturers have professional qualifications such as the CPA.

Success Training College uses about 50 part-time lecturers to teach. There is no defined career path for faculty.

At The Bahamas Baptist Community College, faculty is primarily recruited through newspaper advertisements. Candidates are interviewed by academic/administrative boards. Presently there is no defined career structure for faculty. Some 15-20 applications are received for each position.

At The College of The Bahamas there is a clear career pathway for faculty described by a policy document. Pay is related to post, qualifications and experience. Increments may be awarded conditional upon the outcome of a yearly performance appraisal. Honoraria may be awarded in exceptional circumstances. Typically the path is from Assistant Lecturer, Lecturer I, Lecturer II, to Senior Lecturer. Some administrative appointments within Schools are determined by elections. Positions such as Chairs attract an honorarium and a reduced teaching load.

The University of the West Indies uses mostly overseas faculty as most of the lectures are offered via teleconferencing.

Overall, it can be seen that the level of faculty qualifications reflects the level of the degrees offered by the institutions. Those offering post-graduate qualifications, understandably, have more faculty trained at the terminal degree level.

HIGHER EDUCATION FINANCING

Government expenditure is focused on The College of The Bahamas and The Bahamas Technical and Vocational Institute. Since 1997/98, Government grants to these institutions have risen from \$12,184,634 to \$19,442,785 in 2004/05 (estimate) for The College of the Bahamas, and a decrease from \$5,031,080 to \$4,737,804 in the case of The Bahamas Technical and Vocational Institute. These changes represent a 59.6% increase in the case of The College of The Bahamas and a decrease of 5.8% for The Bahamas Technical and Vocational Institute. During the period 1997/98 to 2004/05 (estimates) total re-current education expenditure has increased from \$140,375,000 to \$208,088,000, an increase of 48.2%. In the 2004/05 estimates, 9.34% of the total re-current education expenditure was spent on The College of The Bahamas and 2.28% on The Bahamas Technical and Vocational Institute is 2.28% (Table 13).

In addition, government contributes about two million dollars to the University of the West Indies.

Table 13: Re-Current Expenditure, The College of The Bahamas and The Bahamas Technical & Vocational Institute.

Year	Re- Current Expenditure The College of The Bahamas (COB)	Re-Current Expenditure The Bahamas Technical & Vocational Institute (BTVI)	Total Re-current Education Expenditure	COB as % of Total Re-current Education Expenditure	BTVI as % of Total Re-current Education Expenditure
1997/98	\$12,184,634	\$5,031,080	\$140,375,000	8.68%	3.60%
1998/99	\$13,325,930	\$4,148,628	\$144,379,000	9.23%	2.87%
1999/00	\$15,825,940	\$3,573,716	\$156,443,000	10.12%	2.28%
2000/01	\$16,837,069	\$4,004,661	\$168,986,000	9.96%	2.37%
2001/02	\$12,299,631	\$4,034,072	\$173,776,000	7.08%	2.32%
2002/03	\$18,595,024	\$4,279,632	\$179,858,000	10.34%	2.38%
2003/04	\$19,442,785	\$4,673,521	\$194,340,000	10.00%	2.40%
2004/05	\$19,442,785	\$4,737,804	\$208,088,000	9.34%	2.28%

The figures under heading "Total Re-current Education Expenditure" represent all the agencies involved with education in The Bahamas. Source: The Central Bank Quarterly Statistical Digest November 2001 and February 2005, www.bahamas.gov.bs

Each institution establishes its tuition fees based on the number of credit hours per course (Table 14). In addition to tuition fees any number of other charges may be applicable. These can include: insurance, Identification Card, laboratory, computer, library, student activity and orientation fees. Other administrative fees can be charged such as add/drop fees, technology fee etc. Differentials in non-tuition fees for full- and part-time students are in force at some institutions. A special fee may also be charged to non-Bahamians, or there may be higher tuition fees for non-Bahamians. In the case of overseas-based institutions, the fees offered to Bahamian registered students can be less than the fees for on-campus students. It appears that no Bahamian based institution offers scholarships for international students to study in The Bahamas.

Table 14: Cost of tuition fees, full time students, (for national students).

	Undergraduate College courses	Master's degrees
Atlantic College	\$69.55 per credit hour	
Galilee College	\$75 per credit hr	
Nova Southeastern University	\$275 per credit	\$1,170 per 3 credits
Omega College	\$475 per 3 credits	
Success Training College	\$100 (evening classes) \$90 (day classes) \$80 (recent high school grads) \$130 (weekend or transient) per credit	
Sojourner-Douglass College	\$565 per 3 credits	\$250 per credit hr.
The Bahamas Baptist Community College	\$85 per credit	
The Bahamas Technical & Vocational Institute	\$100*	
The College of The Bahamas	\$100/\$150 per credit	\$150 per credit
University of Miami		\$855/credit
UWI	\$180 per 3 credits	\$5,000-\$7,500 in total

*Registration fee

RESEARCH IN HIGHER EDUCATION

Research in Higher Education

Research in higher education has developed from the early view in 1975 that it should be concentrated at The College of The Bahamas and “directed towards the optimal utilization of the country’s natural resources” to a much wider concept. However, the College is still expected to be the main centre for research at the higher education level. However, there are independent research institutes, with overseas backing, which also conduct academic research, typically in marine science. The government is responsible for issuing permits for overseas agencies or individuals to conduct research within The Bahamas.

The College of The Bahamas includes three established research units and a Marine and Environmental Studies Institute. The Marine and Environmental Studies Institute was established in January 2005.

The Gerace Research Centre (opened in 1971 as the Bahamian Field Station) is internationally known for its field studies and research activities in archaeology, biology, marine science and geology. It is administered by The College of The Bahamas. Located on the shore of Graham’s Harbour, San Salvador, the station has extensive facilities capable of housing up to 150 students and 50 faculty in comfortable accommodations. A library, wet and dry laboratories, and conference facilities are available. While this centre has been popular among North American universities, The College of The Bahamas and local schools are now making increasing use of the Centre’s facilities. Several scholarships are offered for Bahamian students to attend courses at the Centre.

Conferences on geology, archaeology and natural history are held at the Centre with a large number of participants from overseas. Since the inception of the Centre, 63 theses and dissertations have been written based on work done at the Centre and 491 papers have been published in conference proceedings and journals.

Located in Central Andros, The Bahamas Environmental Research Centre (BERC) is an evolving environmental research and teaching facility. A collaborative venture, the centre brought together the efforts of George Mason University in Fairfax, Virginia, The College of The Bahamas and the Ministry of Education in 1995 for five years. The Centre provides field experiences for students and researchers mainly from George Mason University and The College of The Bahamas. Although non-residential, arrangements can be made to house participants in nearby facilities. Current research interests include: coastal ecology, estuarine ecology and creek restoration, creek monitoring for grouper and lobster larvae.

The Bimini Biological Field Station, in Bimini, is a shark laboratory facility owned and operated by Dr. S. Gruber. University level courses (in some cases run for overseas universities) are run at the laboratory and research conducted on sharks and the conservation of the ocean’s ecosystems. Research is aimed at the post-graduate level and students are encouraged to undertake research for dissertations and theses. Currently, six areas of research related to marine science are being investigated.

The Cape Eleuthera Island School is “an independent academic program in for high school sophomores or juniors founded through The Lawrenceville School in 1999. The interdisciplinary curriculum links student classroom learning directly to field experience. These projects support national research and are conducted under the auspices of the Bahamian government.” The Island School Research Programme in partnership with the Cape Eleuthera Institute and scientists and universities worldwide conducts research on: Green building, Sustainable aquaculture, Patch reef monitoring, Artificial reefs, Queen conch population assessment and aquaculture, Effects of angling on bonefish and flats environments, Effects of angling on the flats environment, Caribbean spiny lobster, Biofuel production, Coastal restoration and rehabilitation, and Permaculture. The Island School in the first five years granted over \$200,000 in direct scholarship aid to 20 Bahamian students to participate in The Island School.

The Perry Institute For Marine Science which opened in 1970 “operates advanced research and diving facilities on Lee Stocking Island. Located in the Exuma Cays, The Bahamas. Lee Stocking Island was selected as a long term research site and field station because of its proximity to the U.S. and wide range of marine habitats with minimal human impacts.” Research institutions in the U.S. and elsewhere use the field station. In 1984, the Perry Institute for Marine Science created the Caribbean Marine Research Center to address issues associated with “environmental degradation as well as other problems related to living marine resources and marine geological processes of the Caribbean, Florida and other tropical and subtropical regions of the world.”

The College of The Bahamas’ Research Unit was established in 1992, its chief aim being to:

- promote research - based policy and programme development
- co-ordinate and develop research initiatives
- co-ordinate and develop research capabilities
- disseminate research findings
- nurture the local intellectual climate

The establishment of the Research Unit by the College gave force to The Government’s intention expressed in “Focus on The Future”, that the national college would function as the research centre for The Bahamas. In recent years it has focused on contract research. Research at The College of The Bahamas units has included areas such as sociology, natural science, tourism and needs assessments.

Research accomplishments are taken into account when considering faculty for promotion at The College of The Bahamas. Since 2000, about 25% of faculty based in New Providence have published/exhibited the results of research/creative endeavours. From 2005, an award will be given for the best research paper published by a College member of staff. The College produces a yearly peer-reviewed *College of The Bahamas Research Journal* which accepts submissions from inside and outside the College. It also hosts the “Research Edge Forum” each month during the regular semester.

**PLACE AND ROLE OF THE NEW INFORMATION AND COMMUNICATION
TECHNOLOGIES IN HIGHER EDUCATION**

Given that The Bahamas is an archipelago it would appear that distance education via electronic media would be an appropriate avenue for delivering education. However, infrastructural limitations have constrained its use. In the 2000 census, 15% of households had Internet access and this was income related. Although, Internet access would be expected to have increased since 2000, limits on connection speeds and service, in more remote areas still exist. In areas where cable TV is available, broadband Internet services are also accessible to domestic users.

The use of IT for delivering education is summarized in the Table 15.

Table 15: Percentage of students exposed to IT based education delivery, Spring Semester 2005.

	% of students subject to IT	% of students taught by distance methods	Platforms used include:		
Success Training College**	64%	0%	MS Office and specialist applications		Email
*The Bahamas Technical & Vocational Institute	62%	0%	MS Office and specialist applications		Email
The College of The Bahamas	55%	<1%	MS Office and specialist applications	Multi-media videos	Email
University of Miami		0%			
UWI	≈100%	≈100%	Teleconferencing		Email

* Based on seven replies

**Based on four replies.

Some courses at Omega College are run on-line using faculty at St. Thomas University.

The Bahamas Baptist Community College is revisiting its mode of delivery in recognition of the demand for distance education.

The most common software used by teaching faculty were MS office applications. “Blackboard” and Smartboards are used at The College of The Bahamas.

While there may be room for extending technology in the classroom, (“every child should attend a school with computers in every class...linked to the internet”), it is clear that all higher education institutions are already on a road which embraces “new” technology but that there remains opportunities to adjust instructional delivery to include distance learning.

RECENT INNOVATIONS, REFORM AND DEVELOPMENT PROGRAMMES

From 1974, The College of the Bahamas has been charged with providing an affordable higher education to residents. Since then, while the College has subsumed other government-funded institutions, a number of other institutions, both locally and foreign based have started to offer higher education programmes. These changes have ultimately improved access to higher education, as residents no longer have to leave the country in order to further their education.

Many institutions have upgrading programmes or summer courses to allow students who do not have the required entrance requirements to gain entry to programmes via courses offered by the institutions themselves. In the case of The College of The Bahamas, the Centre of Continuing Education provides technical training, professional development courses as well as upgrading courses to enable entry into College programmes.

The 1991 “Master plan for post-secondary education in The Bahamas” calls for:

- a Bahamas Coordinating Board for post-secondary education which would oversee all post-secondary institutions in The Bahamas
- an Accreditation Board
- a University College of The Bahamas
- a Community College of The Bahamas
- a Centre for Continuing Extension and Distance Education²
- a Library (possibly a “National Library” or could function as such)³
- Academic credit (to facilitate transfer between institutions).

The National Task Force on Education reiterated these recommendations in the 1994.

The current government has undertaken to transform the College of The Bahamas into a University by 2007. Its vision is that the College “become a top class institution that attracts the brightest and best minds from at home and abroad with the ambition to become a University”. This transformation has required much change within the College including changes to its academic programmes and physical infrastructure; the most obvious of which is the building of a new library. It is likely that this library will not only serve the College but also act as a national library for the country, as envisioned above.

The Bahamas Technical and Vocational Institute is envisioned to “initiate formal apprenticeship training nationwide in partnership with the business community as a condition for graduation”.

The Bahamas Baptist Community College is re-evaluating its Assessments and Evaluation Policies on work experience for the purposes of awards/credits. It is expecting its staff to be ever more diverse and part-time in nature, as it copes with the changes brought about by increased globalization.

² A centre for continuing education was opened at The College of The Bahamas during the Academic Year 1979/1980

³ Work on this building started in April 2005.

EVOLUTIONARY TRENDS, FUTURE DEVELOPMENT PROSPECTS AND PLANS

The Ministry of Education is moving towards greater regulation in higher education so as to ensure the quality of education by a growing number of overseas and nationally based higher education institutions. This has been brought about by trends in higher education overseas and the occasional misrepresentation of facts by institutions seeking registration by the Ministry of Education. Additionally, both the local and international job markets have sought ever-greater assurances about the quality of qualifications which their prospective employees hold.

This regulation is designed to protect students and ensure that programmes meet an acceptable standard and that the institutions themselves can provide the facilities commensurate with the qualifications they are offering.

A National Accreditation and Equivalency Council of The Bahamas should soon become an independent legal body, which will be responsible for ensuring the quality of higher education offered in The Bahamas. Once institutions have been registered with the Ministry of Education, the institution would be encouraged to become accredited by the Council.

The Council would also examine programmes and courses so that equivalency of qualifications and courses could be established to assist in the transfer of credits etc, between institutions. Equivalency would also assist employers in ensuring that they employed people with the qualifications of the standard they require.

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Interviews:

Ms. Patricia Coakley, St Augustine's College, for University of St. Thomas.

Dr. B. Cleare, The Bahamas Baptist Community College

Dr. R. Cooper, Atlantic College

Mrs. Anastasia Francis, The Bahamas Baptist Community College

Mrs. H. Jupp, Omega College

Mr. Denal Kerr, The Bahamas Technical & Vocational Institute

Mr. A. Knowles, University of The West Indies

Dr. D. Major, Success Training College

Mrs. T. Moxey-Ingraham, Sojourner Douglass College

Ms. J. Reid, Nova Southeastern University

Ms. B. Robins, Omega College

Ms. E. Rolle, Ministry of Education

Ms. P. Sweeting-Davis, Ministry of Education

Ms. D. Thompson, Ministry of Education

Ms. D. Wallace, University of The West Indies

Presentations:

Dr. L. Higgs, Ministry of Education

Appendix 1: The College of The Bahamas Act, 1995



No. 15 of 1995

An Act to repeal the College of The Bahamas Act while providing for the continuity of The College as a statutory body corporate with greater autonomy and for matters incidental thereto.

[Date of Assent — 21st June, 1995]

Enacted by the Parliament of The Bahamas.

PART I Preliminary

1.—(1) This Act, may be cited as the College of The Bahamas Act, 1995.

(2) This Act shall come into operation on such date as the Minister may appoint by notice published in the Gazette.

Short title and
commence-
ment

2. In this Act –

"Chairman" means the Chairman of the Council appointed by the Governor-General under this Act;

Interpretation.

"College" means the College of The Bahamas established by section 3;

"Council" means the Council of the College of established by section 8;

"financial year" means –

(a) in 1995, the period commencing on the date of the commencement of this Act and ending on the 31st day of August, 1995; and

(b) thereafter, the period of twelve months ending on the 31st day of August;

"Minister" means the Minister responsible for Education;

"President" means the President of the College appointed under section 6;

Ch. 35. "public officer" has the meaning assigned thereto in the Pensions Act;

"Secretary" means the Secretary of the College appointed by the Council under this Act; and

"Vice-President" means a Vice-President of the College appointed under section 7.

PART II

College of The
Bahamas.

Establishment and Functions of The College

3. The educational institution known as and existing as the College of The Bahamas immediately before the coming into operation of this Act is hereby continued as a body corporate by that name with perpetual succession and a common seal, and shall, in that name, be capable of –

(a) suing and being sued;

(b) taking, purchasing or otherwise acquiring, holding, charging and disposing of property, movable or immovable; and

(c) doing or performing all such other things or acts for the performance of its functions under, and for the furtherance of this Act which may lawfully be done or performed by a body corporate.

4.–(1) The common seal of the College shall be kept in such custody as the Council directs and shall not be used except upon the order of the Council.

(2) The common seal of the College shall be authenticated by the signatures of the Chairman of the Council or any other member of the Council duly authorised by the Council in that behalf, and of the Secretary.

(3) The common seal of the College when affixed to any document and duly authenticated under this section shall be judicially and officially noticed, and, unless and until the contrary is proved, any necessary order or authorisation of the Council under this section shall be presumed to have been duly given.

Common seal
of College.

5. The functions of the College shall be —

Functions
of College.

(a) to provide instruction, conduct research and disseminate knowledge of a standard required and expected of a college of the highest standard in the Liberal and Creative Arts, the Sciences, Technology and other branches of learning in an environment which fosters academic freedom;

(a) to confer degrees and grant diplomas, certificates and other awards and honours as are usually conferred by similar institutions; and

(b) to enter in any association or affiliation with universities, colleges or other institutions of learning, whether within The Bahamas or otherwise, as the College may deem necessary and appropriate.

PART III
Governance of The College

6.-(1) There shall be a President of the College who shall be appointed by the Council, with the prior approval of the Minister.

President

(2) The President shall be the head of the College and shall generally supervise and direct the academic work of the College, the academic and administrative staff and other staff of the College, and shall also perform such other functions as may from time to time be assigned to him by the Council.

(3) The Council may, with the prior approval of the Minister, remove the President from office on the ground of misconduct, inefficiency or other good cause.

7.-(1) There shall be an Executive Vice-President of the College, a Vice-President for Financial Affairs and such other

Vice-
President

Vice.Presidents as the Council may determine, such Vice-Presidents shall be appointed by the Council.

(2) The Vice-Presidents shall, under the direction of the President, be responsible for the general administration of the College, including academic affairs, financial affairs and institutional development of the College, and such other duties as may be assigned to the Vice Presidents by the President or the Council.

(3) Whenever the President is absent from The Bahamas or is for any reason unable to perform the functions of his office, or whenever there is a vacancy in the office of President, the Executive Vice-President shall exercise and perform the functions of the President.

8.—(1) There shall be a Council of the College.

(2) The general direction and control of the College shall be vested in the Council.

(3) Without prejudice to the generality of subsection (2), the Council shall have power —

(a) to provide for the welfare of the students of the College;

(b) to control and superintend the property and policies of the College;

(c) to appoint such faculty, administrative and other staff as appears to the Council to be necessary, on such terms and conditions (including salaries, allowances, other remuneration and disciplinary control) as the Council may determine;

(d) to accept, deposit, or act as trustees or managers of, any property of the College or any legacy, endowment, bequest or gift to the College for purposes of education or research or otherwise in furtherance of the work of the College and to invest any funds representing such property, legacy, endowment, bequest or gift, if not immediately required in such security as the Council may deem fit;

(e) to determine the programmes and courses of study to be pursued in the College;

(f) to confer academic degrees and honours;

(g) to grant sabbatical and other leave;

(h) to fix fees and charges for courses of study, facilities and other services provided by the College and to reduce, waive or refund fees and charges so fixed, generally or in any particular case Or class of case; and

(i) to make regulations —

(i) to direct and regulate the administration of the College;

(ii) without prejudice to the generality of subparagraph (i), to direct and regulate the conduct, discipline and such other matters affecting the employment of members of the faculty and other staff;

(iii) for the better carrying out of the provisions of this Act.

(4) The Schedule shall have effect with respect to the constitution of the Council and otherwise in relation thereto.

Schedule.

9.—(1) Where any public officer holding a pensionable office under the Government, ceases to be the holder of such office by reason of his transfer with his consent to the service of the College and such person subsequently retires from the service of the College in such circumstances that, had he remained a public officer, he would have been eligible for pension under the Pensions Act, then in any such case subsections (2) and (3) of this section shall have effect.

Pension of persons transferred from public service to the College. Ch. 35.

(2) Any pension payable to any such person as is mentioned in subsection (1) by the College to whose service he has been transferred shall be calculated and granted to him in respect of his total service under the Government and with the College taken together and such service shall be reckoned as continuous for pension purposes.

(3) There shall be payable out of the Consolidated Fund upon the warrant of the Minister of Finance to the College as a contribution to every pension paid in accordance with subsection

Ch. 35.

(2), such amounts as would have been payable to the person concerned by way of pension under the Pensions Act, if such person had retired from the public service and if he had been granted a pension under the Pensions Act upon the date of his ceasing to be a public officer.

10. The Minister may give general directions as to the policy to be followed by the Council concerning the administration of the College, as appear to the Minister to be requisite in the public interest, and which directions the Council shall give effect to, but such directions shall not apply to —

Minister may give directions to Council

(a) the appointment, termination of appointment, promotion or discipline of any member of the faculty, administration or other staff of the College, other than the President; and

(b) the admission of any particular student to the College or the evaluation, discipline, academic promotion, certification, or awards to students of the College.

11. The President may exercise disciplinary control over students of the College and may, for the purposes of his power under this section, if he thinks fit, consult any committee

Discipline of students

appointed by him in that behalf from among the faculty and the students of the College.

PART IV Financial Provisions

12. The funds and resources of the College shall consist of –

Funds and resources of the College.

(a) such sums as may be voted for the purposes of the College by Parliament;

(b) all fees and charges payable to the College pursuant to section 8(3)(h);

(c) all other sums or property which may in any manner become payable to or vested in the College in respect of any matter incidental to its functions.

13.-(1) All moneys received by the College pursuant to section 12(a), (b) and (c) shall be deposited into an account (to be known as "the General Account") to be maintained by the College with such bank or banks as the Council may determine.

Monies deposited to General Account.

(2) The Vice-President for Financial Affairs shall keep in respect of the General Account, two separate accounts --

(a) an account to be known as "the General Current Account" in which shall be recorded all deposits into and withdrawals from the General Account for application towards defraying current expenditure; and

(b) an account to be known as "the General Capital Account", in which shall be recorded all deposits into and withdrawal:, from the General Account for application towards defraying capital expenditure.

Expenditure of gifts and grants.

14.-(1) Subject. to subsection (2), where any gift, grant or other property is received by the Council on behalf of the College, the College shall inform the Minister of the receipt of that gift, grant or other property and that gift, grant or other property shall be utilised in such manner as the Council may determine.

(2) Where a stipulation has been attached to any such gift, grant or other property such stipulation shall be given effect.

Advances to College

15.-(1) Subject to subsection (2), the Minister of Finance may, at the request of the Council make advances for the purpose of enabling the College to defray expenditure properly chargeable to

the capital account, including provision of working capital.

(2) No advance shall be made under this section unless prior approval thereof has been signified by the House of Assembly in accordance with section 17 of the Financial Administration and Audit Act. Ch. 329.

16. At the end of each financial year, any moneys standing to the credit of the College and not required for any current purpose shall, after consultation with the Minister of Finance, be carried to the reserve fund established under section 17.

Surplus
funds

17.-(1) The College shall establish a reserve fund.

(2) The management of the said fund, the sums to be carried from time to time to the credit thereof, and the application thereof, shall be as the Council may determine, but no part of the fund shall be applied otherwise than for the purposes of the College. Reserve Fund.

18.-(1) It shall be the duty of the College so to discharge its functions as to ensure that its revenues are not less than sufficient to meet all sums properly chargeable to its revenue account (including, without prejudice to the generality of that expression, provisions in respect of its obligations under section 16 and this section) taking one year with another. Balancing of revenue account, and surplus revenue.

(2) Any excess of the revenue of the College for any financial year over the sums properly chargeable to its revenue account for that year (including the provisions referred to in subsection (1)) shall be applied by the College for such purposes as the Council may determine.

(3) The College shall prepare for each new financial year an annual budget of revenue and expenditure which shall be submitted at least two months prior to first day of July.

19.-(1) The College shall keep proper accounts and other records in relation thereto, and shall prepare in respect of each financial year a statement of accounts. Accounts and audit

(2) The accounts of the College for each financial year shall be audited by an auditor to be appointed by the Council.

(3) Three months after the end of each financial year the College shall submit a copy of the audited accounts to the Minister together with a copy of any report made by the auditor.

(4) The Minister shall lay a copy of every such audited accounts before each House of Parliament, together with a copy of any report made by the auditors on the accounts.

PART V
Miscellaneous

Repeal of Ch. 37. **20.** The College of The Bahamas Act (hereinafter referred to as the repealed Act) is hereby repealed.

Transitional provisions **21.**-(1) In so far as anything was done under a written law repealed by this Act that could have been done under a corresponding provision of this Act, it shall not be invalidated by the repeal but shall have effect as if done under that provision.

(2) Where a document refers expressly or by implication to the repealed Act, the reference shall (except where the context otherwise requires) be construed as a reference to the corresponding provision of this Act.

SCHEDULE
Constitution and Procedure of The Council

Constitution of College. **1.**-(1) The Council shall consist of eleven members appointed by the Governor-General of whom –

- (a) one shall be the President ex-officio;
- (b) two shall be public officers, one of whom may be an officer from the Ministry of Education;
- (c) one shall be a student of the College selected in accordance with such procedure as may be determined by the student government body;
- (d) one shall be a faculty member of the College, selected in accordance with such procedure as may be determined⁴ by the faculty union;
- (e) one shall be the President of the Alumni Association of the College;
and
- (f) five shall be persons representing Trade Unions, financial, industrial, commercial, or other institutions and professional organizations and members of the general public.

(2) In the exercise of his powers of appointment under this paragraph the Governor-General shall ensure that, after the initial constitution of the Council, the members of the Council shall not consist entirely of persons appointed to membership of the Council at the same time.

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|----|---|--------------------------|
| 2. | A member of the Council other than the President shall hold office for a period not exceeding three years, and shall not be eligible for re-appointment after two consecutive terms. | Tenure of office |
| 3. | The Governor-General shall appoint one of the members of the Council to be the Chairman thereof. | Chairman |
| 4. | Any member of the Council may at any time resign his office by instrument in writing addressed to the Governor-General and from the date of receipt by the Governor-General of such instrument such member shall cease to be a member of the Council. | Resignation |
| 5. | There shall be a Secretary of the Council who shall be appointed by the Council, and who shall perform such functions at such remuneration and upon such terms and conditions as the Council may determine. | Appointment of Secretary |
| 6. | Where the Governor-General is satisfied that a member of the Council — | Dismissal |
| | (a) has been absent from meetings longer than three consecutive months without the permission of the Council; | |
| | (b) has become bankrupt or made arrangements with his creditors; | |
| | (c) is incapacitated by physical or mental illness; or | |
| | (d) is otherwise unable or unfit to discharge the functions of a member of the Council, | |

the Governor-General may declare his office as a member of the Council to be vacant and shall notify the fact in such manner as the Governor-General thinks fit, and thereupon that office shall become vacant.

7.-(1) If any vacancy occurs in the membership of the Council, such vacancy, shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, so however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.	Vacancies and acting appointment.
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(2) If the Governor-General is satisfied that the Chairman or any other member of the Council is unable to act, the Governor-General shall appoint any person to act in his place.

8. The names of all members of the Council as first constituted and every change in the membership thereof shall be published in the Gazette.

Gazetting of appointments

9. All documents, other than those required to be under seal, made by, and all decisions of, the Council may be signified under the hands of the Chairman, or any other member authorised to act in that behalf, and the Secretary.

Gazetting of appointments

10.-(1) The Council shall meet at least once each month and at such other times as may be necessary or expedient for transaction of its business and such meetings shall be held at such places and times and on such days as the Council may determine.

Procedures and meetings

(2) The Chairman shall preside at all meetings of the Council at which he is present and, in the case of the Chairman's absence from any meeting, the members present and constituting a quorum shall elect a Chairman from among their number to preside at that meeting.

(3) A quorum of the Council shall be the minimum number constituting a majority of the total number of the Council.

(4) The decisions of the Council shall be by a majority of votes and, in addition to an original vote the Chairman or other person presiding at a meeting shall have a casting vote in any case in which the voting is equal.

(5) Minutes in proper form of each meeting of the Council shall be kept by the Secretary and a copy of the minutes of every meeting shall be submitted to the Minister within fourteen days after the meeting.

11. The council shall submit to the Minister an annual report on the work of the College on or before the 31st day of December in each year.

12. No member of the Council shall be personally liable for any act or default of the Council done or omitted to be done in good faith in the course of the operation of the College.

Appendix 2: Educations Laws of The Bahamas

CHAPTER 46 EDUCATION

ARRANGEMENT OF SECTIONS

PRELIMINARY

1. Short title.
2. Interpretation.

PART I

CENTRAL ADMINISTRATION

3. Duties and responsibilities of the Minister.
4. Powers of the Minister.
5. Establishment of Department of Education.
6. Duties of Director.
7. Establishment of National Advisory Council.
8. Duties of Council.
9. Meetings of Council.
10. Annual Report.

PART II

THE STATUTORY SYSTEM OF EDUCATION

The Three Stages of the System

11. Stages and purpose of statutory system of education.

Provision and Maintenance of Primary and Secondary Schools

12. Duty of Minister to secure provision of primary and secondary schools.
13. Powers of Minister to establish, maintain or assist primary and secondary schools.

Management of Primary Schools and Secondary Schools

14. School Boards.

Secular Instruction and Appointment and Dismissal of Teachers in Maintained or Assisted Schools

15. Secular instruction in maintained and assisted schools.
16. Contracts, etc., of Board of Education.

Religious Education in Maintained Schools

17. General provisions for religious education in maintained schools.
18. Special provisions as to religious education in maintained schools.
19. Religious education in schools other than maintained schools.

Primary and Secondary Education of Pupils Requiring Special Educational Treatment

20. Education of pupils requiring special educational treatment.
21. Minister to ascertain what children require special educational treatment.

Compulsory Attendance at Primary and Secondary Schools

22. Compulsory school age.
23. Duty of parents to secure the education of their children.
24. School attendance orders.
25. Duty of parents to secure regular attendance of registered pupils.
26. Penalties for offences under sections 24 and 25.

Further Education

27. General duties of Minister in respect of further education.
28. Power of Minister to establish centres for further education.
29. Control of other institutions for further education.
30. Use of word "university", etc.

Supplementary Provisions as to Primary, Secondary and Further Education

31. Medical inspection and treatment of pupils.
32. Provision of facilities for recreation and social and physical training.
33. Power to ensure cleanliness.
34. Provision of transport.
35. Power to provide primary and secondary education otherwise than at school.
36. Duty of Minister in respect of pupils incapable of receiving education at school.

Employment of Children

37. Power of Minister to prohibit or restrict employment of children.

Miscellaneous Provisions

38. Prohibition of fees in schools maintained by the Minister.
39. Duties of Minister as to the training of teachers.

PART III

INDEPENDENT SCHOOLS

40. Registration of independent schools.
41. Complaint.
42. Determination of complaints.
43. Enforcement.
44. Removal of disqualifications.
45. Rights of registered independent schools.
46. Returns.

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General Principle to be Observed by the Minister

47. Pupils to be educated in accordance with the wishes of their parents.

Miscellaneous Provisions

48. Inspection.
49. Provision of certain medical services for pupils not in attendance at schools maintained by the Minister.
50. Registration of pupils at schools.
51. Power of Minister to give assistance by means of scholarships or otherwise.
52. Power of Minister to give assistance to schools not maintained by him
53. Notices.
54. Saving as to persons of unsound mind and persons detained by order of a court.
55. Power of Minister to make regulations.
56. Power to amend First and Third Schedules.
57. Expenses.
58. Method of supply and withdrawal of funds.
59. Minister may order production of books of account.
60. Appointment of auditors.
61. Additional auditing responsibilities.
62. Regulations by Minister of Finance.

FIRST SCHEDULE - Management of Maintained Schools.

SECOND SCHEDULE - Exempt Schools.

THIRD SCHEDULE.

CHAPTER 46 EDUCATION

15 of 1962

26 of 1963

57 of 1963

56 of 1965

8 of 1968

30 of 1968

15 of 1970

E.L.A.O., 1974

5 of 1987

21 of 1996

An Act to consolidate and amend the law relating to education within the Bahama Islands.

[Assent 23rd May, 1962]

[Commencement 1st September, 1962]

Short title.

[Ch46s1]1. This Act may be cited as the Education Act.

Interpretation.

[Ch46s2]2. (1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say-

"alterations" in relation to any school premises, includes any improvements or enlargements which do not amount to the establishment of a new school;

"assist" in relation to any school or institution has the meaning assigned to it by subsection (2) of this section;

"child" means a person who is not over compulsory school age;

"compulsory school age" has the meaning assigned to it by section 22 of this Act;

21 of 1996, s. 2. "contract service" means employment in the public service of The Bahamas for a fixed period of time whether or not such employment is renewable on expiration of such fixed period of time;

21 of 1996, s. 2. "Council" means the National Advisory Council for Education established under section 7 of this Act;

"Department" means the Department of Education established under section 5 of this Act;

"Director" means the Director of Education referred to in section 5 of this Act;

"exempt school" means a school referred to in the Second Schedule to this Act;

"further education" has the meaning assigned to it by section 27 of this Act;

"independent school" means any school at which full-time education is provided for five or more pupils of compulsory school age (whether or not such education is also provided for pupils under or over that age), not being a school maintained by the Minister;

"institution for the provision of further 15 of 1970, s. 2. education" has the meaning assigned to it by section 29 of this Act;

"maintain" in relation to any school or other educational establishment has the meaning assigned to it by subsection (2) of this section;

"medical inspection" means inspection by or under the direction of a medical officer employed or engaged, whether 57 of 1963, s. 17. regularly or for the purpose of a particular case, by the Minister or the Minister of Health;

"medical officer" means a duly qualified medical practitioner employed or engaged, whether regularly or for the purposes of any particular case, by the Minister or the Minister of Health;

21 of 1996, s. 2. "medical treatment" includes assessment, examination and treatment by any duly qualified medical practitioner;

E.L.A.O., 1974. "Minister" means the Minister responsible for Education;

"parent", in relation to any child or young person, includes a guardian and every person who has the actual custody of a child or young person;

"premises", in relation to any school, includes any detached playing fields, but, except where otherwise expressly provided, does not include a teacher's dwelling house;

"primary education" has the meaning assigned to it by section 12 of this Act;

21 of 1996, s. 2. "primary pupil" means a child who has not attained the age of twelve years;

"primary school" means, subject to the provisions of subsection (3) of this section, a school for providing primary education;

15 of 1970, s. 2. "proprietor", in relation to any institution for the provision of further education or school, means the person or body of persons responsible for the management of the institution for the provision of further education or school, and for the purposes of the provisions of this Act relating to applications for the registration of independent schools, includes any person or body of persons proposing to be so responsible;

"pupil", where used without qualification, means a person of any age for whom education is required to be provided under this Act;

"registered pupil" means, in relation to any school, a pupil registered as such in the register kept in accordance with the requirements of this Act, but does not include any child who has been withdrawn from school in the prescribed manner;

"registered school" means an independent school registered in the register of independent schools, whereof the registration is final;

57 of 1963, s. 17. "regulations" means regulations made by the Minister under the provisions of this Act;

"school" means an institution for providing primary or secondary education or both primary and secondary education being a school maintained by the Minister or an independent school, and the

expression "school" where used without qualification shall include any such school or all such schools as the context may require;

"school year" shall have the meaning assigned to it in section 10 of this Act;

"secondary education" has the meaning assigned to it by section 12 of this Act;

21 of 1990, s. 2. "secondary pupil" means a person who has attained the age of twelve years but has not attained the age of nineteen years;

"secondary school" means, subject to the provisions of subsection (3) of this section, a school for providing secondary education;

"special educational treatment" has the meaning assigned to it by subsection (2)(c) of section 12 of this Act;

"special school" means a school, set aside for that purpose, wherein special educational treatment is provided for pupils suffering from any disability of mind or body;

"statutory educational system" means the educational system established, maintained or operated by the Minister under the provisions of this Act;

21 of 1996, s. 2. "trained teacher" means a teacher, senior teacher, master teacher or senior master or senior mistress who is classified by the Minister as being qualified academically and professionally and is the holder of a certificate issued by the Minister in that behalf;

"young person" means a person over compulsory school age who has not attained the age of nineteen years.

(2) For the purposes of this Act-

(a) the duty of the Minister to maintain a school or other educational establishment shall include the duty of defraying all the expenses of maintaining the school or other educational establishment;

(b) where the Minister makes to the proprietor of any school or other educational establishment which is not maintained by the Minister, any grant in respect of the school or other educational establishment, or any payment in consideration of the provision of educational facilities thereat, the school or other educational establishment shall be deemed to be assisted by the Minister.

(3) So long as any school is used for providing both primary and secondary education, references in this Act to primary schools shall be construed as including references to that school, and references therein to secondary schools shall be construed as excluding any reference thereto:

Provided that where the primary education provided in any such school is provided in a separate department, the Minister may direct that for purposes of this Act the school shall be deemed to be a secondary school, and such references as aforesaid shall be construed accordingly.

(4) For the purposes of this Act, a pupil in attendance at a school who attains any age during the term of the school shall be deemed not to have attained that age until the end of the term.

PART I

CENTRAL ADMINISTRATION

Duties and responsibilities of the Minister.

[Ch46s3]3. (1) The duties of the Minister shall be to promote the education of the people of The Bahamas by the progressive development, in so far as the resources of the Minister permit, of schools and other educational establishments devoted to that end.

(2) The purpose of such development shall be to enable the children of The Bahamas to understand their privileges and responsibilities as members of the community, to contribute to the progress and well-being of The Bahamas by the full development of their natural abilities, and to earn an adequate livelihood as adults.

Powers of the Minister.

[Ch46s4]4. 21 of 1996, s. 3. (1) The Minister shall have the Superintendence, direction and control of all primary, secondary and further education in The Bahamas which is wholly maintained from

Government funds, and may, for these purposes, by Order designate any group of secondary or primary schools in New Providence, or any Family Island, groups of Family Islands or a part of a Family Island as a School District.

(2) Subject as hereinafter provided, the Minister shall have the superintendence and general oversight of all other primary, secondary and further education in The Bahamas.

(3) The Minister shall have authority, in so far as his resources permit, to establish, administer or discontinue those institutions and ancillary services required by the statutory educational system, and to make such regulations in this behalf as he may deem necessary from time to time.

57 of 1963, s. 4. (4) Any immovable property which immediately prior to the 7th day of January 1964, vested in the Board of Education shall upon such date vest in the Treasurer who shall hold the same in trust for Her Majesty in right of Her Government of The Bahamas for the purposes of this Act.

(5) Any movable property so vested in the said Board shall on the said date vest in the Minister for the purposes of this Act.

Establishment of Department of Education. 21 of 1996, s. 4.

[Ch46s5]5. There shall be established a Department of Education which shall comprise a Director of Education, Deputy Directors, Assistant Directors, District Superintendents and such other officers as may from time to time be authorised by Parliament.

Duties of Director. 21 of 1996, s. 5.

[Ch46s6]6. The Director shall be responsible for the organization and administration of the Department and shall be the professional adviser and technical executive officer of the Minister.

Establishment of National Advisory Council.

[Ch46s7]7. (1) There shall be established a 21 of 1996, s. 6. National Advisory Council for Education for the purpose of making available to the Minister advice on educational matters from the general public and from educational bodies and institutions outside the statutory educational system:

E.L.A.O., 1974. Provided that nothing in this section shall preclude the appointment by the Minister, or by the Director of such special advisory committees on educational matters as may be deemed necessary from time to time.

E.L.A.O., 1974. (2) The Council shall consist of eleven members to be appointed by the Minister, and the Minister shall appoint a member of the Council to be Chairman thereof.

57 of 1963, s. 6. (3) The 21 of 1996, s. 6. Director shall appoint an officer of the Department of Education to be the Secretary to the Council.

Duties of Council.

[Ch46s8]8. It shall be the duty of the Council to advise the Minister upon such matters connected with 21 of 1996, s. 7. education as it thinks fit, and upon any matters referred to it by the Minister.

Meetings of Council.

[Ch46s9]9. The Minister may by rules make provision for the term of office and conditions of retirement of members of the Council, but subject to the provisions of any such rules, the meetings and procedure of the Council shall be such as may be determined by that Council.

Annual Report.

[Ch46s10]10. (1) The Minister shall lay on the table of each House of Parliament during the month of December or as soon as practicable thereafter in every 57 of 1963, s. 8; E.L.A.O., 1974. year a report describing the work of his Ministry and the state of education generally in The Bahamas during the school year immediately preceding, together with statements showing the expenditure incurred by the Ministry on the various forms of educational work during that year in accordance with the provisions of this Act.

(2) For the purposes of this section, a school year shall be deemed to be the period from the first day of September in any calendar year to the thirty-first day of August of the succeeding calendar year.

PART II

THE STATUTORY SYSTEM OF EDUCATION

The Three Stages of the System

Stages and purpose of statutory system of education.

[Ch46s11]11. The statutory educational system shall be organized in three progressive stages to be known as primary education, secondary education and further education; and it shall be the duty of the Minister, so far as his resources permit, to contribute towards the spiritual, moral, mental and physical development of the community by ensuring that efficient education throughout these stages shall be available to meet the needs of the population.

Provision and Maintenance of Primary and Secondary Schools

Duty of Minister to secure provision of primary and secondary schools.

[Ch46s12]12. (1) It shall be the duty of the Minister to ensure that there shall be available in The Bahamas sufficient schools-

21 of 1996, s. 8. (a) for providing primary education, that is to say, full-time education suitable to the ages, abilities and aptitudes of primary pupils; and

21 of 1996, s. 8. (b) for providing secondary education, that is to say, full-time education suitable to the needs of secondary pupils, other than such full-time education as may be provided in pursuance of a scheme made under the provisions of this Act relating to further education.

The schools provided under this section shall afford, in so far as the Minister's resources permit, opportunities to all pupils for education offering the variety of instruction and training desirable in view of their different ages, abilities and aptitudes, and of the different periods for which they may be expected to remain at school, including practical, technical and vocational instruction and training appropriate to their respective needs.

(2) In discharging his duties under this section, the Minister shall, in so far as his resources permit, have regard to-

(a) the need for ensuring that primary and secondary education are provided in separate schools;

21 of 1996, s. 8. (b) the need for ensuring the provision of accommodation for those pupils from the Family Islands for whom education outside their home district is considered by the Minister and by their parents to be desirable;

(c) the need for ensuring that provision is made for pupils who suffer from any disability of mind or body by providing, in special schools or otherwise, special educational treatment, that is to say, education by special methods appropriate for persons suffering from that disability; and

21 of 1996, s. 8. (d) the desirability of making provision for pupils who have not attained the age of five years by providing for the overall establishment, administration and supervision of preschools.

Provided that paragraph (a) of this subsection shall not have effect in regard to special schools.

Powers of Minister to establish, maintain, or assist primary and secondary schools. 21 of 1996, s. 9.

[Ch46s13]13. (1) For the purpose of discharging his duties under this Act, the Minister shall have power to-

(a) establish, maintain, or discontinue primary and secondary schools (other than exempt schools);

(b) maintain such schools whether originally established by the Minister, or not; and

(c) assist any school which is not maintained by the Minister, including all independent schools and exempt schools.

(2) Subject to the provisions of section 52 of this Act, the conditions under which assistance may be given to primary or secondary schools not maintained by the Minister, and the form and method of applications for such assistance, save as hereinafter provided, shall be set forth in regulations made under this Act:

Provided that the amount of any grant-in-aid payable to any secondary school immediately before the coming into operation of this Act, shall not be reduced by regulations made under this subsection

without due notice and without the opportunity being given to such school to comply with the regulations made under this section of this Act.

21 of 1996, s. 10. Management of Primary Schools and Secondary Schools

School Boards. 21 of 1996, s. 11.

[Ch46s14]14. (1) The Minister may for every school maintained by him establish a School Board which shall consist of not less than three members and not more than nine members:

Provided that for each school specified in the Third Schedule. Third Schedule there shall be a School Board which shall consist of nine members.

(2) The members of a School Board shall be citizens of The Bahamas eighteen years of age and over elected by parents or guardians of children attending the school in such a manner as may be prescribed by the Minister. Members shall be elected for a period of three years at a time. For the purpose of electing members, the Principal of a school shall maintain a register of parents and guardians whose children attend the school. The Chairman of the School Board shall be elected by the members of the School Board.

(3) Where no School Board is established, each Council of a local government district shall make provision for the maintenance and upkeep of public school buildings and their environs.

(4) The Instrument of Management providing for the constitution and procedure of the School Board shall be that set forth in Part I of the First Schedule. First Schedule to this Act.

(5) The Articles of Management providing for the general administration of the school and for the relations between the Minister, the School Board and the Principal shall be those set forth in Part II of the First Schedule. First Schedule to this Act.

(6) For the purposes of this section the term "school" shall include those Family Island schools which, by reason of local conditions, may have on their rolls a number of secondary pupils.

Secular Instruction and Appointment and Dismissal of Teachers in Maintained and Assisted Schools
Secular instruction in maintained and assisted schools.

[Ch46s15]15. 21 of 1996, s. 13. (1) In every maintained school the secular instruction given to the pupils shall, except in so far as may be otherwise provided by the instrument of Management and Articles of Management, as the case may be, of the school, be under the control of the Minister.

(2) The secular instruction given to the pupils in every assisted school, save in so far as may be otherwise provided by the conditions in accordance with which assistance is granted to the school, shall be under the control of the proprietors of the school.

(3) The power to control the secular instruction provided in any school shall include power to determine the times at which the school session shall begin and end in any day, to determine the times at which the school terms shall begin and end, and to determine the school holidays, and to require that pupils in attendance at the school shall attend any class not conducted on the school premises for the purpose of receiving instruction or training included in the secular curriculum of the school.

Contracts, etc of Board of Education. 57 of 1963, s. 12.

[Ch46s16]16. All contracts and appointments made by the Board of Education which were valid and subsisting immediately prior to the seventh day of January 1964, shall thereafter be deemed to have been made by the Minister for and on behalf of the Government of The Bahamas.

Religious Education in Maintained Schools

General provisions for religious education in maintained schools.

[Ch46s17]17. (1) Subject to the provisions of this section, the school day in every maintained school shall begin with collective worship on the part of all pupils in attendance at the school, and the arrangements made therefor shall provide for a single act of worship attended by all pupils unless the school premises are such as to make it impossible to assemble them for that purpose.

(2) Subject to the provisions of this section, religious instruction shall be given in every maintained school.

(3) It shall not be required, as a condition of any pupil attending any maintained school, that he shall attend or abstain from attending any Sunday school or any place of religious worship.

(4) If the parent or guardian of any pupil in attendance at any maintained school requests in writing that he be excused from attendance at religious worship or religious instruction at the school, or from both, then, until the request is withdrawn, the pupil shall be excused from such attendance accordingly:

Provided that excuse from such attendance shall not alter the pupil's liability to come to school at the starting time or to remain there during normal school hours.

Special provisions as to religious education in maintained schools.

[Ch46s18]18. (1) The collective worship required by subsection (1) of section 17 shall not in any maintained school be distinctive of any particular religious denomination, and the religious instruction given to pupils in any such school shall be given in accordance with a syllabus prescribed by the Minister and shall not include any catechism or formulary which is distinctive of any particular religious denomination.

(2) No teacher in any maintained school shall be required to give the religious instruction prescribed by the Minister, if such teacher conscientiously and bona fide objects to give such instruction on religious grounds.

Religious education in schools other than maintained schools.

[Ch46s19]19. The religious instruction given to pupils in attendance at all schools other than maintained schools shall be under the control of the proprietors of such schools.

Primary and Secondary Education of Pupils Requiring Special Education Treatment

Education of pupils requiring special educational treatment.

[Ch46s20]20. (1) Regulations shall be made defining the several categories of pupils requiring special educational treatment and making provision as to the special methods appropriate for the education of pupils of each category.

(2) Arrangements made by the Minister for the special educational treatment of pupils of any such category shall, in so far as the resources of the Minister permit, provide for the education of pupils with serious disabilities in special schools, or where the disability is not serious, the arrangements may provide for the giving of such education in any school maintained by the Minister:

Provided that, in cases where facilities for special educational treatment do not exist, the Minister shall not be obliged to accept into any maintained school a pupil with a disability of body or mind, where the acceptance of such pupil would, in the view of the Minister, adversely affect the education of other pupils in attendance at the school.

(3) The regulations made under this section with respect to special schools shall secure that, as far as practicable, every pupil in attendance at any such school shall attend religious worship and instruction, or shall be withdrawn from such religious worship and instruction in accordance with the wishes of his parent or guardian.

Minister to ascertain what children require special educational treatment

[Ch46s21]21. (1) It shall be the duty of the Minister to ascertain, in so far as his resources permit, what children require special educational treatment; and, for the purpose of fulfilling that duty, any officer of the Department of Education may, by notice in writing served upon the parent of any child who has attained the age of five years, require him to submit the child for examination by a Government medical officer for advice as to whether the child is suffering from any disability of mind or body and as to the nature and extent of such disability; and if a parent upon whom such a notice is served, fails without reasonable excuse to comply with the requirements thereof, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 14. fifty dollars.

(2) If the parent of any child who has attained the age of five years requests the Minister to cause the child to be so medically examined as aforesaid, the Minister shall comply with the request unless in the opinion of the Minister the request is unreasonable.

Compulsory Attendance at Primary and Secondary Schools

Compulsory school age.

[Ch46s22]22. 21 of 1996, s. 15. (1) In this Act the expression "compulsory school age" means any age between five years and sixteen years.

(2) No pupil who has not attained the age of five years shall be admitted into any maintained school save a 21 of 1996, s. 15. pre-school.

(3) No pupil who has attained the age of 21 of 1996, s. 15. sixteen years shall be required to leave any maintained school unless he is incapable of benefiting from the types of education and instruction available:

Provided that, save in exceptional circumstances and with the approval of the Director, no pupil shall be permitted to continue attending a secondary school maintained by the Minister after the age of nineteen years.

Duty of parents to secure the education of their children.

[Ch46s23]23. (1) It shall be the duty of the parents of every child of compulsory school age to cause him to receive full-time education suitable to his age, ability and aptitude, by regular attendance at school or otherwise.

(2) The provisions relating to the E.L.A.O., 1974. compulsory attendance of children at school may be carried out by officers appointed by the Governor-General acting in accordance with the advice of the Public Service Commission, in that behalf under this Act.

(3) Officers appointed under subsection (2) of this section shall have the powers, authorities, privileges and protection conferred upon constables at common law or by any Act.

(4) Such officers may enter with the permission of the parent or guardian any place between the hours of 8 a.m. and 5 p.m. of any day except Sunday for the purpose of making such enquiries and discharging such other duties as may be imposed upon them by the Minister under the provisions of this Act or any regulation made under the provisions of this Act.

(5) Any person who-

(a) obstructs or resists any such officer in the performance of his duties; or

(b) wilfully makes any false representation to any such officer with respect to the age of any child; or

(c) wilfully refuses to furnish to such officers, any information which such officers may require in the execution of their duties,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 16. seventy-five dollars.

School attendance orders.

[Ch46s24]24. (1) If it appears to the Minister that the parent of any child of compulsory school age is failing to perform the duty imposed upon him by section 23, it shall be the duty of the Minister to serve upon the parent a notice requiring him, within such time as may be specified in the notice not being less than fourteen days from the service thereof, to register the child at a school registered under this Act, or an exempt school, or to satisfy the Minister that the child is otherwise receiving efficient full-time education suitable to his age, ability and aptitude.

(2) If after such a notice has been served upon a parent, the parent fails to satisfy the Minister in accordance with the requirements of the notice that the child is receiving efficient full-time education suitable to his age, ability and aptitude, then, if in the opinion of the Minister it is expedient that he attend school, the Minister shall serve upon the parent an order in the prescribed form (hereinafter referred to as a "school attendance order") requiring him to cause the child to become a registered pupil at a school named in the order.

(3) If at any time while a school attendance order is in force with respect to any child, the parent of the child makes application to the Minister requesting that another school be substituted for that named in

the order, by reason of the removal of the child's family, or if in the opinion of the Minister it is desirable that the child be transferred to another school, then the Minister may accordingly amend or revoke the order.

(4) If any person upon whom a school attendance order is served fails to comply with the requirements of the order, he shall be guilty of an offence against this section, unless he proves to the satisfaction of the Minister that he is causing the child to receive efficient full-time education suitable to his age, ability and aptitude otherwise than at school.

(5) A school attendance order made with respect to any child shall, subject to any amendment thereof which may be made by the Minister, continue in force as long as the child is of compulsory school age, unless revoked by the Minister.

Duty of parents to secure regular attendance of registered pupils.

[Ch46s25]25. (1) If any child of compulsory school age who is a registered pupil at a school fails to attend regularly thereat, the parent of the child shall be guilty of an offence against this section.

(2) In any proceedings for an offence against this section, the child shall not be deemed to have failed to attend regularly at the school by reason of his absence therefrom with leave or-

(a) at any time when he was prevented from attending by reason of sickness or any unavoidable cause;

(b) on any day exclusively set apart for religious observance by the religious body to which his parent belongs

(c) if the parent proves that the school at which the child is a registered pupil is not within the walking distance from the child's home, which shall be specified by regulation of the Minister, and that no suitable arrangements have been made by the Minister either for his transport to and from the school 21 of 1996, s. 17. or for enabling him to become a registered pupil at a school nearer to his home.

(3) Where in any proceedings for an offence against this section it is proved that the child has no fixed abode, paragraph (c) of subsection (2) shall not apply, but if the parent proves that he is engaged in any trade or business which requires him to travel from place to place, and that the child has attended at a school at which he was a registered pupil as regularly as the nature of the trade or business permits, the parent shall be acquitted:

Provided that, in the case of a child who has attained the age of six years, the parent shall not be entitled to be acquitted under this subsection unless he proves that the child had made at least 200 attendances during the period of 12 months ending with the date of which proceedings were instituted.

(4) In this section, the expression "leave" in relation to any school means leave granted by any person authorised in that behalf by the managing authority of the school, and the expression "walking distance" means, in relation to a child who has not attained the age of eight years two miles, and in the case of any other child three miles, measured by the nearest available route.

Penalties for offences under sections 24 and 25.

[Ch46s26]26. (1) Subject to the provisions of this section, any person guilty of an offence against section 24 or section 25 of this Act shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 18. fifty dollars, in the case of a second offence against such section to a fine not exceeding seventy-five dollars, and in the case of a third or subsequent offence against such section to a fine not exceeding one hundred dollars, or to imprisonment for a term not exceeding one month, or to both such fine and such imprisonment.

(2) It shall be the duty of the Minister to institute proceedings for such offences as aforesaid whenever, in his opinion, the institution of such proceedings is necessary for the purpose of enforcing the duty imposed upon a parent by this Act to cause his child to receive efficient full-time education suitable to his age, ability and aptitude, and no such proceedings shall be instituted except by or on behalf of the Minister.

(3) Where the court before which a prosecution is brought for an offence against section 25 is satisfied that the child in respect of whom the offence is alleged to have been committed has failed to attend regularly the school at which he is a registered pupil, then, whether or not the parent is convicted, the court may direct that the child be brought before a juvenile court by the Minister, and such court may, if it is satisfied that it is necessary to do so for the purpose of securing the regular attendance of the child at school, make any order that such court has power to make under section 50 of the Ch. 97. Children and Young Persons (Administration of Justice) Act.

(4) Where proceedings have been instituted for an offence against section 25 alleged to have been committed in respect of any child, and it appears to the officer by whom proceedings were instituted on behalf of the Minister that there is reasonable cause to believe that the punishment of the parent would not be sufficient to secure the regular attendance of the child at school, it shall be his duty to apply to the court for a direction under subsection (3) of this section; and where such an application is made, such a direction shall be given unless the court is satisfied that no such direction is necessary for the purpose aforesaid.

Further Education

General duties of Minister in respect of further education.

[Ch46s27]27. It shall be the duty of the Minister, in so far as his resources permit, to secure the provision of adequate facilities for further education, that is to say-

- (a) full-time and part-time education for persons over compulsory school age;
- (b) leisure-time occupation, in such organized cultural training and recreative activities as are suited to their requirements, for any persons over compulsory school age who are able and willing to profit by the facilities provided for that purpose; and
- (c) technical education.

Power of Minister to establish centres for further education.

[Ch46s28]28. (1) For the discharge of the duty imposed upon him by section 27, the Minister shall have power to establish and conduct such institutions of further education as he may deem necessary, and regulations may be made as to the maintenance, government and conduct of such institutions and as to the further education given therein.

(2) Nothing in subsection (1) of this section contained shall preclude the Minister from providing, outside of such institutions or in association with existing schools or other educational establishments, such special classes or courses for persons over compulsory school age as he may deem necessary from time to time with the purpose of providing such physical, practical, vocational or academic training as will enable them to develop their various aptitudes and capabilities and will prepare them for the responsibilities of citizenship.

Control of other institutions for further education.

[Ch46s29]29. (1) No person shall without the consent of the Minister establish or conduct or continue to conduct within The Bahamas any institution for the provision of further education and the Minister may refuse his consent thereto in any case unless he is satisfied that-

- 8 of 1968, s. 2. (a) the courses of further education to be provided at such institution will be of educational, cultural, economic or other benefit to The Bahamas;
- (b) the courses of further education to be provided at such institution will afford tuition of an appropriate standard by fully qualified instructors;
 - (c) the establishment and conduct of such institution is in the best interests of those members of the public likely to resort thereto; and
 - (d) the establishment and conduct of such institution is in the best interests of the public generally.

(2) The Minister shall cause a register to be maintained of every institution for the provision of further education established or conducted under the provisions of this section, which shall contain such particulars thereof as the Minister may direct.

(3) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction in the case of a first offence to a fine not exceeding one hundred and fifty dollars or in the case of a second or subsequent offence to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment, and any principal, professor, lecturer, teacher or other person who lectures, teaches or gives instruction in any institution knowing it to be established or conducted in contravention of subsection (1) of this section, shall be guilty of a like offence and shall be liable on summary conviction to the like penalties.

15 of 1970, s. 4. (4) If at any time the Minister is satisfied that any institution for the provision of further education is objectionable upon all or any of the following grounds-

- (a) that the courses of further education being provided at such institution are not of educational, cultural, economic or other benefit to The Bahamas;
- (b) that the courses of further education being provided at such institution do not afford tuition of an appropriate standard by fully qualified instructors;
- (c) that the establishment and conduct of such institution is not in the best interests of those members of the public likely to resort thereto;
- (d) that the establishment and conduct of such institution is not in the best interests of the public generally,

the Minister shall serve upon the proprietor of the institution a notice stating the grounds of complaint together with full particulars of the matters complained of, and the notice shall specify the measures necessary in the opinion of the Minister to remedy the matters complained of, and shall specify the time within which such measures are required to be taken.

15 of 1970, s. 4. (5) Where a proprietor of an institution for the provision of further education has been served with a notice under subsection (4) of this section and fails, within the time specified in such notice to take the measures necessary in the opinion of the Minister to remedy the matters complained of, the Minister may forthwith revoke his consent given in pursuance of subsection (1) of this section in respect of such institution.

15 of 1970, s. 4. (6) Where the Minister revokes his consent in respect of any institution for the provision of further education in pursuance of this section, he shall by notice in writing inform the proprietor of such revocation, and the proprietor of the institution may within twenty-eight days from the date of such notice appeal therefrom in such manner as may be prescribed by rules made under section 76 of the Ch. 53. Supreme Court Act.

15 of 1970, s. 4. (7) Regulations may be made prescribing the particulars of institutions for the provision of further education to be furnished to the Director, and such regulations may provide for the notification to the Director of any changes in the particulars so furnished, and as to the circumstances in which the Minister may revoke his consent to the conduct within The Bahamas of any such institution in the event of the Director being unable to obtain sufficient particulars thereof.

(8) For the purpose of this section the expression "institution for the provision of further education" means any university, college, school or other organised institution in or by which courses in further education are conducted.

Use of word "university", etc.

[Ch46s30]30. (1) No person shall-

- (a) use the expression "university" in the 30 of 1968, s. 2. description or title under which such person is conducting any college, school or other educational institution within The Bahamas; or
- (b) make whether directly or indirectly any representation in any letter, letterhead, circular, paper, notice or advertisement, or by any other means whatsoever whether similar to the foregoing or not, that such person is conducting a university within The Bahamas; or

(c) grant to, or confer upon, any person any degree, diploma or other academic distinction expressed or purporting to be a degree, diploma or other academic distinction granted or conferred by a university conducted within The Bahamas, unless such college, school, educational institution or university, as the case may be, shall have been incorporated either by charter granted by Her Majesty the Queen or by or under some enactment regulating the establishment of a university or universities in The Bahamas.

(2) Any person who contravenes the provision of subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction in the case of a first offence to a fine not exceeding one hundred and fifty dollars or, in the case of a second or subsequent offence, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Supplementary Provisions as to Primary, Secondary and Further Education
Medical inspection and treatment of pupils.

[Ch46s31]31. (1) It shall be the duty of the Minister, in collaboration with the Minister responsible for Health and in so far as the resources of the Minister and the Minister responsible for Health shall permit, to provide for the medical inspection, at appropriate 57 of 1963, s. 13. intervals, of pupils in attendance at any school or other educational establishment maintained by the Minister.

(2) For the purpose of securing the proper medical inspection of pupils in attendance at any school or other educational establishment, any Government officer authorised in that behalf by the Minister may require, by notice in writing, the parent of any pupil in attendance at such school, to submit the pupil for medical inspection in accordance with arrangements made by the Minister and may require any pupil in attendance at any other educational establishment to submit to such inspection; and any person who fails without a reasonable excuse to comply with any such requirements shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 19. seventy-five dollars.

(3) It shall be the duty of the Minister to make arrangements for encouraging and assisting pupils to take advantage of such facilities for medical treatment as may be made available by Government from time to time:

Provided that if the parent of any pupil gives to the Minister notice that he objects to the pupil availing himself of any medical treatment provided under this section, the pupil shall not be encouraged or assisted to do so.

(4) The Minister is empowered to make regulations for the implementation of the provisions of this section.

Provision of facilities for recreation and social and physical training.

[Ch46s32]32. (1) It shall be the duty of the Minister, in so far as his resources permit, to secure that the facilities for primary and secondary education provided by him include adequate facilities for recreation and social and physical training, and for that purpose he may establish, maintain and manage, or assist the establishment, maintenance and management of camps, holiday classes, playing fields, play centres, playgrounds, gymnasiums and other places whether appropriate to any school or other educational establishment or not at which facilities for recreation and for such training as aforesaid are available for persons for whom primary, secondary or further education is provided by the Minister, and may organize games, expeditions and other activities for such persons, and may defray or contribute towards the expenses thereof.

(2) The Minister, in making arrangements for the provision of facilities, or the organization of activities under the powers conferred on him by subsection (1) of this section shall, in particular, have regard to the expediency of co-operating with any voluntary societies or bodies whose objects include the provision of facilities for or the organization of activities of a similar character.

Power to ensure cleanliness.

[Ch46s33]33. (1) The Minister may, by directions in writing issued with respect to all schools maintained by him or with respect to any of such schools named in the directions, authorise a Government medical officer to cause examinations of the persons and clothing or pupils in attendance at such schools to be made whenever in the Minister's opinion such examinations are necessary in the interests of cleanliness.

(2) If the person or clothing of any pupil is found upon such examination to be infested with vermin or in a foul condition, any officer of the Minister may serve upon the parent of the pupil a notice requiring him to cause the person and clothing of the pupil to be cleansed within twenty-four hours.

(3) If the parent fails to comply with a notice served under subsection (2) he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 20. fifty dollars.

(4) Where an officer of the Minister suspects that the person or clothing of any pupil in attendance at a school maintained by the Minister is infested with vermin or in a foul condition, but action for the examination thereof cannot immediately be taken, he may, in the interests of the pupil or of other pupils in attendance at the school, direct that the pupil be excluded from the school until such action is taken.

(5) No girl shall be examined under the powers conferred by this section save by a duly qualified medical practitioner or by a woman authorised for that purpose by the Minister.

Provision of transport.

[Ch46s34]34. The Minister may make such arrangements for the provision of transport as he 57 of 1963, s. 14. considers practicable and necessary for the purpose of facilitating the attendance of pupils at schools and other establishments maintained by him, and any transport provided in pursuance of such arrangements shall be provided free of charge.

Power to provide primary and secondary education otherwise than at school.

[Ch46s35]35. If the Minister is satisfied that by reason of any extraordinary circumstances a child or young person is unable to attend a suitable school for the purpose of receiving primary or secondary education, he shall have power to make, in so far as his resources permit, special arrangements for the child or young person to receive such education otherwise than at school.

Duty of Minister in respect of pupils incapable of receiving education at school.

[Ch46s36]36. (1) If it appears to the Minister that any child who has attained the age of five years is suffering from a disability of mind or body of such a nature or to such an extent as to make him incapable of receiving education at school, it shall be the duty of the Minister by notice in writing served upon the parent of the child to require the parent to submit him for examination by a Government medical officer; and if a parent upon whom such a notice is served fails without reasonable excuse to comply with the requirements thereof, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 21. fifty dollars.

(2) Before any child is so medically examined as aforesaid, the Minister shall cause notice to be given to the parent of the time and place of such examination, and the parent shall be entitled to be present at the examination if he so desires.

(3) If, after considering the advice given with respect to any child by a Government medical officer after such examination as aforesaid and any reports or information which the Minister is able to obtain from teachers in respect of the ability and aptitude of the child, the Minister decides that the child is suffering from a disability of mind or body of such a nature or to such an extent as to make him incapable of receiving education at school, it shall be the duty of the Minister to issue to the parents a report that the child has been found incapable of receiving education at school.

(4) For the purposes of this section, a child shall be deemed to be suffering from a disability of mind or body of such a nature and to such an extent as to make him incapable of receiving education at school not only if the nature and extent of his disability are such as to make him incapable of receiving education, but also if they are such as to make it inexpedient that he should be educated in association with other children either in his own or their own interests.

(5) If the Minister is satisfied that any child in attendance at a school maintained by him is suffering from a disability of mind or body of such a nature or to such an extent that he will, in the opinion of the Minister, require supervision after leaving school, the Minister shall before the child ceases to be of compulsory school age issue to the parent of the child a report that by reason of a disability of mind the child may require supervision after leaving school.

Employment of Children

Power of Minister to prohibit or restrict employment of children.

[Ch46s37]37. (1) If it appears to the Minister that any child under the age of 21 of 1996, s. 22. sixteen years who is a registered pupil at a school maintained by him is being employed in such a manner as to be prejudicial to his health or otherwise as to render him unfit to obtain the full benefit of the education provided for him, the Minister may, by notice in writing served upon the employer, prohibit him from employing the child, or impose such restrictions upon his employment of the child as appear to the Minister to be expedient in the interests of the child.

(2) The Minister may, by notice in writing served upon the parent or employer of any child who is a registered pupil at a school maintained by him, require the parent or employer to provide the Minister, within such period as may be specified in the notice, with such information as appears to the Minister to be necessary for the purpose of enabling him to decide whether the child is being employed in such a manner as to render him unfit to obtain the full benefit of the education provided for him.

(3) Any person who employs a child in contravention of any prohibition or restriction imposed under subsection (1) of this section, or who fails to comply with the requirements of a notice served under subsection (2) of this section, shall be guilty of an offence against this section, and shall be liable on summary conviction, in the case of a first offence to a fine not exceeding 21 of 1996, s. 22 fifty dollars, in the case of a second offence to a fine not exceeding seventy-five dollars, and in the case of a third or subsequent offence to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding one month or to both such fine and such imprisonment.

Miscellaneous Provisions

Prohibition of fees in schools maintained by the Minister.

[Ch46s38]38. (1) Save as hereinafter provided, no fees shall be charged in respect of admission to any school maintained by the Minister or in respect of the full-time education provided in any such school, and it shall be the duty of the Minister, in so far as his resources permit, to provide free of charge for all pupils who are given free education in schools maintained by him, books, writing materials, stationery, practice materials and other articles which are necessary to enable the pupils to take full advantage of the education provided:

Provided that in the case of any part-time class or course provided by the Minister for pupils above compulsory school age under any scheme for further education, the Minister shall have power to charge in respect of such part-time courses such fees as he may deem necessary.

(2) The tuition fees shall be payable each term to the 21 of 1996, s. 23. Principal in advance and the fee for books and supplies shall be paid to him annually in advance, and the Principal shall without delay pay the same into the Treasury.

Duties of Minister as to the training of teachers.

[Ch46s39]39. (1) In execution of the duties imposed on him by this Act, the Minister shall, in particular, make such arrangements as he considers expedient and as his resources permit for securing that there shall be sufficient facilities for the training of teachers for service in schools and other establishments maintained by the Minister.

(2) Regulations may be made under this section with regard to the emoluments, allowances and conditions of service of students in training as teachers, their selection, training and 21 of 1996, s. 24. retraining as teachers.

21 of 1996, s. 24. (3) In this section, "teachers" includes-

- (a) senior teacher, master teacher, senior master or senior mistress; and
- (b) guidance counsellors and educational administrators.

PART III

INDEPENDENT SCHOOLS

Registration of independent schools.

[Ch46s40]40. (1) The Director shall be the Registrar of Independent Schools, and it shall be his duty to keep a register of all independent schools (other than exempt schools), which register shall be open to public inspection at all reasonable times and, subject as hereinafter provided, to enter therein in the manner and form prescribed particulars of all independent schools registered under the provisions of this Act.

(2) No independent school, (other than an exempt school) which is not in existence at the date of the coming into operation of this Act, shall be opened, maintained or conducted unless and until it is registered under the provisions of this Act, and pending compliance with the provisions of subsection (3) of this section, the Minister may grant provisional registration for such period as he may think fit to any such school.

(3) Any independent school the proprietor of which makes application to the Minister for registration under the provisions of this Act, shall be so registered unless it is objectionable on any of the following grounds-

- (a) that the school premises or any part thereof are unsuitable for a school;
- (b) that the accommodation provided at the school premises is unsuitable or inadequate having regard to the number, ages and sex of the pupils attending the school;
- (c) that efficient and suitable instruction is not being provided at the school, having regard to the ages and sex of the pupils attending thereat;
- (d) that the proprietor of the school or any teacher employed therein is not a proper person to be the proprietor of an independent school or to be, a teacher in any school, as the case may be.

(4) Where the Minister refuses to grant any application of an independent school for registration under the provisions of this Act, he shall give to the proprietor of the school notice of his refusal setting out the grounds therefor, and the management of the school may within twenty-eight days from the date of such notice appeal therefrom in such manner as may be provided by rules made under section 76 of the Ch. 53. Supreme Court Act, to the Supreme Court, whose decision thereon shall be final and conclusive.

(5) If after the expiration of three months from the date of coming into force of this Act any person conducts or takes part in the conduct of an independent school (whether established before, or after the date of the coming into force of this Act and not being an exempt school), which is not a registered school, he shall be guilty of an offence and shall be liable on summary conviction to fine not exceeding 5 of 1987, s. 2. eighty dollars or in the case of a second or subsequent conviction, to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months, or to both such imprisonment and such fine.

(6) Regulations may be made prescribing the particulars to be furnished to the Registrar of Independent Schools and such regulations may provide for the notification to the Registrar of any changes in the particulars so furnished, and as to the circumstances in which the Minister may order the name of any school to be deleted from the register in the event of the Registrar being unable to obtain sufficient particulars thereof. Such regulations may also prescribe the procedure for the hearing by the Minister of an application for registration.

Complaints.

[Ch46s41]41. (1) If at any time the Minister is satisfied that any registered school is objectionable upon all or any of the following grounds-

- (a) that the school premises or any part thereof are unsuitable for a school;
- (b) that the accommodation provided at the school premises is unsuitable or inadequate having regard to the number, ages and sex of the pupils attending the school;
- (c) that efficient and suitable instruction is not being provided at the school, having regard to the ages and sex of the pupils attending thereat;

(d) that the proprietor of the school or any teacher employed therein is not a proper person to be the proprietor of an independent school or to be a teacher in any school, as the case may be, the Minister shall serve upon the proprietor of the school a notice of complaint stating the grounds of complaint together with full particulars of the matters complained of, and, unless any of such matters are stated in the notice to be in the opinion of the Minister irremediable, the notice shall specify the measures necessary in the opinion of the Minister to remedy the matters complained of, and shall specify the time, not being less than three months after the service of the notice, in the case of complaint under subparagraphs (a) and (b) of this subsection, within which such measures are required to be taken.

(2) If it is alleged in any notice of complaint served under this section that any person employed as a teacher at the school is not a proper person to be a teacher in any school, that person shall be named in the notice and the particulars contained in the notice shall specify the grounds of the allegation, and a copy of the notice shall be served upon him.

(3) Every notice of complaint served under this section and every copy of such a notice so served shall limit the time, not being less than one month after the service of the notice or copy within which the complaint may be referred to the Supreme Court under the provisions hereinafter contained

Determination of complaints.

[Ch46s42]42. (1) Any person upon whom a notice or complaint or a copy of such notice is served under section 41 may, within the time limited by the notice, appeal therefrom in such manner as may be provided by rules made under section 76 of the Ch. 53. Supreme Court Act to the Supreme Court.

(2) Upon such a complaint being submitted to the Supreme Court, the Supreme Court may, after due investigation-

- (a) order that the complaint be annulled;
- (b) order that the school in respect of which the notice was served be struck off the register;
- (c) order that the school be so struck off unless the requirements of the notice subject to such modifications, if any, as may be specified in the order are complied with to the satisfaction of the Minister before the expiration of such time as may be specified in the order;

(d) if satisfied that the premises alleged by the notice of complaint to be unsuitable for use in a school or any part of such premises are in fact unsuitable for such use, by order disqualify the premises of part from being so used, if satisfied that the accommodation provided at the school premises is inadequate or unsuitable having regard to the number, ages and sex of the pupils attending the school, by order disqualify the premises from being used as a school for pupils exceeding such number or of such age or sex as may be specified in the order;

(e) if satisfied that any person alleged by the notice of complaint to be a person who is not a proper person to be the proprietor of an independent school, or to be a teacher in any school is in fact such a person, by order disqualify that person from being the proprietor of any independent school or from being a teacher in any school, as the case may be.

(3) Where a notice of complaint has been served under this Act on the proprietor of any school and the complaint is not submitted by him to the Supreme Court within the time limited in that behalf in the notice, the Minister shall have power to make any order which the Supreme Court would have had power to make had the complaint been so referred:

Provided that, if it was alleged by the notice of complaint that any person employed as a teacher at the school is not a proper person to be a teacher in any school and that person has, within the time limited in that behalf by the copy of the notice served upon him, submitted the complaint to the Supreme Court, the Minister shall not have power to make an order requiring his dismissal or disqualifying him from being a teacher in any school.

(4) Where by virtue of an order made by the Supreme Court or by the Minister any person is disqualified either from being the proprietor of an independent school, or from being a teacher in any school, then, unless the order otherwise directs, that person shall be disqualified both from being the proprietor of an independent school and from being a teacher in any school.

Enforcement.

[Ch46s43]43. (1) Where an order is made by the Supreme Court or by the Minister directing that any school be struck off the register, the Registrar of Independent Schools shall as from the date on which the direction takes effect strike the school off the register.

(2) If any person uses any premises for purposes for which they are disqualified by virtue of an order made under this Part of this Act, that person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding eighty dollars or in the case of a second or subsequent conviction (whether in respect of the same or other premises) to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months or to both such imprisonment and such fine.

(3) If any person acts as the proprietor of an independent school, or accepts or endeavours to obtain employment as a teacher in any school, while he is disqualified from so acting or from being so employed by virtue of any order as aforesaid, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding eighty dollars or in the case of a second or subsequent conviction to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both such imprisonment and such fine.

57 of 1963, s. 15. (4) No proceedings shall be instituted for an offence against this Part of this Act except by or on behalf of the Attorney-General or the Minister.

Removal of disqualifications.

[Ch46s44]44. (1) If on the application of any person the Minister is satisfied that any disqualification imposed by an order made under this Part of this Act is, by reason of any change of circumstances, no longer necessary, the Minister may by order remove the disqualification.

(2) Any person who is aggrieved by the refusal of the Minister to remove such disqualification may, within one month after the refusal has been communicated to him, appeal therefrom, in such manner as may be provided by rules made under section 76 of the Ch. 53. Supreme Court Act, to the Supreme Court.

Rights of registered independent schools.

[Ch46s45]45. Save as heretofore provided in regard to the registration of schools and the serving of notices of complaint, every independent school on the Register of Independent Schools shall have complete control over-

- (a) the secular instruction provided at the school;
- (b) the religious instruction provided at the school;
- (c) the terms of appointment, conditions of service and dismissal of teachers;
- (d) the enrolment, promotion, and all other matters concerning the pupils of the school;
- (e) all matters pertaining to the internal organization and discipline of the school

Returns.

[Ch46s46]46. The management of every independent school shall annually, in such form as may be prescribed by regulations made under this Act, furnish the Minister with a return with such information regarding the school as may be required by the Minister for the purposes of this Part of this Act.

PART IV GENERAL

General Principle to be Observed by the Minister

Pupils to be educated in accordance with the wishes of their parents.

[Ch46s47]47. In the exercise and performance of all powers and duties conferred and imposed upon him by this Act, the Minister shall have regard to the general principle that, so far as resources allow and are compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents.

Miscellaneous Provisions

Inspection.

[Ch46s48]48. (1) It shall be the duty of the 57 of 1963, s. 16. Minister to cause inspections to be made of all schools maintained by him. Such inspections shall be carried out in such manner and at such intervals at the Minister may decide.

15 of 1970, s. 5. (2) The Minister may cause inspections to be made of schools assisted by the Minister and of schools not assisted by the Minister but registered under the provisions of this Act. The Minister may also cause inspections to be made of institutions for the provision of further education established or conducted under the provisions of this Act. Inspection of such schools and institutions shall be carried out not more frequently than once every six months and due notice thereof shall be given to such schools or institutions. Such inspection shall not exceed 21 of 1996, s. 25. ten days duration, save with the agreement of the school or institution authorities, and a copy of any report to the Minister thereon shall be supplied to the said school or institution authorities.

(3) Any person who obstructs any inspector, the Director or any person authorised by him to make an inspection in pursuance of the provisions of this section in the execution of his duty, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 25. fifty dollars, in the case of a second or subsequent conviction, to a fine not exceeding one hundred dollars.

(4) The religious instruction given in any school maintained by any religious organization shall not be subject to inspection as aforesaid.

Provision of certain medical services for pupils not in attendance at schools maintained by the Minister.

[Ch46s49]49. Where under powers conferred by this Act the Minister makes special arrangements for any child to receive primary or secondary education otherwise than at school, the Minister may provide for the medical inspection or medical treatment of that pupil as if he were in attendance at a school maintained by the Minister.

Registration of pupils at schools.

[Ch46s50]50. (1) The management of every school (that is to say any school maintained by the Minister and any other school whether or not registered under this Act) shall cause to be kept, in accordance with regulations made under this Act, a register containing the prescribed particulars with respect to all persons of compulsory school age who are pupils at the school, and such regulations may make provisions for enabling such registers to be inspected, for enabling extracts therefrom to be taken for the purposes of this Act by persons duly authorised in that behalf under the regulations, and for requiring the persons by whom any such register is required to be kept to make to the Minister such periodical and other returns as to the contents thereof as may be prescribed.

(2) The regulations made under this section shall prescribe the procedure by which the removal, withdrawal or transfer of any child of compulsory school age from any school not maintained by the Minister shall be reported to the Minister, for the purpose of securing that any child of compulsory school age shall continue to attend school for so long as he is of compulsory school age.

(3) If any person contravenes or fails to comply with any requirement imposed on him by regulations made under this section, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 21 of 1996, s. 26. seventy-five dollars.

Power of Minister to give assistance by means of scholarships or otherwise.

[Ch46s51]51. The Minister shall have power, in so far as his resources permit, for the purpose of enabling pupils to take advantage without hardship to themselves or their parents of any educational facilities available to them-

(a) to defray such expenses of children attending schools as may be necessary to enable them to take part in school activities;

(b) to pay the whole or any part of the fees and expenses payable in respect of children attending schools at which fees are payable;

(c) to grant scholarships, exhibitions, bursaries and other allowances in respect of pupils under or over compulsory school age, including pupils undergoing training as teachers, and regulations may be made governing the exercise of such powers.

Power of Minister to give assistance to schools not maintained by him.

[Ch46s52]52. The Minister shall have power in so far as his resources permit to give assistance, by grants or otherwise, to schools not maintained by the Minister (including exempt schools), and to make regulations regarding the form and method of application for such assistance, and the conditions under which such assistance is granted:

Provided that no such assistance shall be granted to any such school unless-

(a) the school premises and the accommodation provided therein shall be adequate in size and facilities, and in satisfactory condition;

(b) the teaching staff shall be adequate in number, qualifications and experience, having regard to the numbers, ages and sex of pupils and to the curriculum of the school;

26 of 1963, s. 2. (c) there shall be no bar with respect to religion, colour or race in the admission of pupils;

(d) the income of the management of the school from all sources shall be devoted solely to the educational purposes of the school;

(e) the school shall not be established or maintained for the private profit of any person or persons:

Provided further that such assistance shall not be withheld or reduced solely on the ground that the qualifications of any teacher at such school have not been obtained at a British University or Institution.

Notices.

[Ch46s53]53. Any notice required or authorised by this Act to be served upon any person may be served by delivering it to that person or by leaving it at his usual or last known place of residence, or by sending it in a prepaid letter addressed to him at that place.

Saving as to persons of unsound mind and persons detained by order of a court.

[Ch46s54]54. No power or duty conferred or imposed by this Act on the Minister or on parents shall be construed as relating to persons of unsound mind and persons detained by order of a court.

Power of Minister to make regulations.

[Ch46s55]55. (1) The Minister may, from time to time, make regulations for all or any of the purposes of this Act in accordance with the powers and duties to make regulations conferred or imposed on the Minister by this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may relate to all or any of the following matters, except where specific provision therefor is made in this Act, that is to say-

(a) the ages between which children shall be entitled to attend schools maintained by the Minister, and the administrative arrangements, in regard to age, for the enrolment of children in such schools;

(b) the attendance of children at schools maintained by the Minister, their expulsion or removal therefrom and the transfer of children from one school to another;

- (c) the inspection, examination, discipline, routine and management of schools maintained by the Minister;
- (d) the curriculum, syllabuses, and courses of instruction to be followed in maintained schools, and the books and materials to be used in the implementation thereof;
- (e) the days of attendance and the school vacation and holidays for maintained schools, and the manner of celebrating any holiday;
- (f) the conditions under which children of over 21 of 1996 s. 27. sixteen years of age may remain at or be removed from a maintained school;
- (g) the health, cleanliness, medical examination or treatment of children attending schools, and the necessary exclusion of any such children from school;
- (h) the duties and powers of teachers employed by the Department;
- (i) the duties and powers of other officers in the service of the Department;
- (j) the certification of teachers;
- (k) the development, erection, extension, improvement, provision, renting 57 of 1963, s. 19. or repairing of the buildings, gardens, play-grounds, premises or yards of any assisted school, and of teachers' dwellings;
- (l) the furnishing of quarters supplied by the Minister;
- (m) the standards of buildings, accommodation, equipment, and furniture for maintained, aided and independent schools;
- (n) the fees to be paid for accommodation in any hostel or boarding house maintained by the Minister, and the method of paying such fees;
- (o) the fees to be paid in connection with classes or courses of instruction established in accordance with any approved scheme of further education;
- (p) the conduct of examinations on behalf of external examining bodies, and the local fees to be paid by candidates in such examinations.
- 56 of 1965, s. 3. (q) the fees to be paid in connection with the admission and education of pupils who are not 21 of 1996, s. 27. citizens of The Bahamas;
- (r) the registration of independent schools;
- (s) the conditions for the award of scholarships or bursaries;
- (t) the organization, discipline, routine and management of a Teachers' Training College, and the terms of service and discipline of students in training;
- 8 of 1968, s. 3. (u) the information to be furnished to the Minister by institutions for the provision of further education, schools and teachers, and the form and time in which such information shall be furnished;
- 21 of 1996, s. 27. (v) the minimum standards of achievement for the graduation of secondary pupils attending secondary schools maintained by the Minister.

Power to amend First and Third Schedules. 21 of 1996, s. 28.

[Ch46s56]56. The Minister may, from time to time, by regulations made under the powers conferred by this section, amend or revoke and replace any of the provisions of the First and Third Schedules to this Act.

Expenses.

[Ch46s57]57. The expenses incurred in carrying out the provisions of this Act shall be paid out of such sums as Parliament may from time appropriate for the purpose.

Method of supply and withdrawal of funds. 21 of 1996, s. 29.

[Ch46s58]58. (1) Moneys provided for Boards shall be allocated to each Board and made available to the Board by the Minister of Finance.

(2) Subject to the provisions of the Ch. 359. Financial and Administration and Audit Act, each Board shall open an account in respect of moneys provided with any bank, and all deposits and withdrawals of such moneys shall be recorded in the account:

Provided that withdrawals from the account shall be signed by the Chairman and the Principal. Minister may order production of books of account. 21 of 1996, s. 29.

[Ch46s59]59. Without prejudice to any other provision of this Act, the Minister may, either of his own accord or at the request of the Minister of Finance, by notice in writing, require the Secretary to produce any books of account, records or other documents of a Board.

Appointment of auditors. 21 of 1996, s. 29.

[Ch46s60]60. (1) The Minister after consultation with the Minister of Finance, may appoint an auditor or auditors to audit the accounts of a Board subject to such conditions as the first-mentioned Minister may deem fit.

(2) The appointment of the auditor or auditors shall be for a period of one year renewable each year, for a total period of not more than five consecutive years.

(3) A person shall not be qualified for appointment as an auditor unless he is an individual who is licensed, under the Ch. 364. Public Accountants Act, 1991, to engage in public practice.

(4) In the exercise of their duties, auditors shall have access to all books, records, returns and other documents relating to the accounts of Boards and may require any person holding or accountable for any such books or documents to appear before them at the audit.

(5) Auditors shall submit their reports not later than twelve weeks from the end of the financial year to the Minister who shall forthwith transmit copies of those reports to the Minister of Finance and to the respective Board.

(6) The Minister of Finance shall cause a copy of each report to be laid before the House of Assembly.

(7) For the avoidance of doubt, it is hereby declared that nothing in this section shall be read or construed as derogating from or in any way limiting any of the functions exercisable by the Auditor-General pursuant to the provisions of the Constitution or any written law.

Additional auditing responsibilities. 21 of 1996, s. 29.

[Ch46s61]61. The Minister may cause an audit to be conducted in respect of the accounts of and any account kept by or on behalf of, any school.

Regulations by Minister of Finance. 21 of 1996, s. 29.

[Ch46s62]62. The Minister of Finance shall make regulations for the purpose of regulating the financial functions of a Board, including the keeping of records and reporting, but, such regulations shall conform, as much as possible, to the Financial Regulations.

57 of 1963, s. 21; E.L.A.O., 1974; 21 of 1996, s. 30. FIRST SCHEDULE (Section 14)

MANAGEMENT OF MAINTAINED SCHOOLS

PART I

INSTRUMENT OF MANAGEMENT

Interpretation.

1. In this Schedule-

"Board" means the School Board established under section 14 of this Act;

"Member" includes the Chairman of the Board, save where reference is made specifically to the Chairman.

Members of the Board not to be financially interested in the school.

2. Save with the approval of the Minister, no member of the Board shall hold any financial interest in the school, or receive any remuneration for his services, or be financially interested in the supply of work or goods to or for the purpose of the school.

Determination of Membership of the Board.

3. Any member of the Board who is absent from all meetings of the Board during a period of three consecutive monthly meetings or who communicates in writing to the Secretary to the Board a wish to resign, shall thereupon cease to be a member.

Vacancies.

4. Every vacancy shall be notified by the Secretary to the Board to the Chairman as soon as possible.

Secretary to the Board.

5. The Principal of the school shall act as Secretary to the Board and shall be responsible for keeping the minutes of the proceedings.

Summoning of meetings.

6. Meetings of the Board, which shall be held not less than once in every month, shall normally be summoned by the Chairman of the Board, who shall give the members not less than four clear days' notice of such meetings. The Secretary to the Board shall send to each member an Agenda paper, so that it may in the ordinary course of letter post be delivered at the address of each member not less than two clear days before the time of Meetings.

Quorum.

7. No business shall be transacted at any meeting of the Board unless a majority of members are present.

Adjournment of meetings.

8. If a sufficient number of members to form a quorum is not present, the meeting shall stand adjourned, and the Chairman of the Board shall, if he thinks fit, cause a special meeting to be summoned as soon as conveniently may be done. Any meeting may be adjourned by resolution.

Special meetings.

9. A special meeting may be summoned by the Secretary to the Board at the instance of the Chairman or at the request of a majority of the members at any time, giving not less than three clear days' notice of such meeting. The Agenda paper shall set out the business to be considered at the special meeting and no business other than that so specified shall be taken.

Proceedings of the Board.

10. (1) A question coming before the Board at any meeting shall be decided by a majority of the members present, and in the case of any equality of votes, the Chairman of the meeting shall have a second or casting vote.

(2) The proceedings of the Board shall not be invalidated by any vacancy in their number.

(3) In the absence of the Chairman at any meeting the members present may elect a Chairman for that meeting.

Minutes.

11. At every meeting of the Board the Minutes of the last meeting shall be read as first business, and, if carried, shall be confirmed and signed by the Chairman.

Correspondence.

12. The official correspondence of the Board shall be conducted by the Secretary to the Board.

Proceedings and documents of the Board.

13. The proceedings and documents of the Board shall be such as may be prescribed by the Minister from time to time.

PART II

ARTICLES OF MANAGEMENT

Conduct of school.

1. The school shall be conducted in accordance with the provisions of the Education Act for the time being of The Bahamas, the Regulations of the Minister, the Instrument of Management set forth in Part I of this Schedule, and these Articles.

Estimates.

2. The Board shall in each financial year, at such time as the Minister shall determine, submit an estimate of its requirements for the ensuing school year in respect of the following matters-

- (a) repair and maintenance of school premises;
- (b) school furniture and equipment;
- (c) school books and materials;
- (d) improvements or extension to school premises.

Estimates: consideration and variation.

3. The Minister shall consider such estimates and make such variations as may be required by the educational policy of the Minister.

School premises.

4. The Board shall, in consultation with the Principal and subject to any regulation of the Minister regarding the use of school accommodation, determine the use to which the school premises or any part thereof shall be put out of school hours.

Appointment, etc., of the Principal.

5. The Principal shall be a teacher in the public service and his appointment and conditions of service shall be governed by the Regulations in force in that behalf.

Procedure for appointment of Principal.

6. The appointment of the Principal shall conform to the following procedure-

(a) the vacant post shall be filled by transfer or promotion within the service, or by appointment from outside the service:

Provided that the Board shall have prior notification of the appointment and shall be given the opportunity, if it considers that the person to be appointed is not a fit and proper person to be Principal of that school, of stating its reasons therefore, for the consideration of the Department;

(b) the Principal shall on appointment be posted to the school. He shall be liable to transfer according to the exigencies of the service;

(c) any decision of the Board to submit to the Department an adverse report on the Principal shall be taken by a majority of the whole Board at a special meeting of the Board for that purpose and any such decision shall require confirmation by a resolution similarly passed at a special meeting held not less than fourteen clear days after the date of the meeting at which the original resolution was passed;

(d) the Principal shall be entitled to appear with a friend or a counsel and attorney at any meeting of the Board at which a question which may involve an adverse report upon him is to be considered, and shall be given at least fourteen clear days' notice of such meeting.

Appointment, etc., of teachers.

7. The teachers in the school shall be teachers in the public service and their appointment and conditions of service shall be governed by the Regulations in force in that behalf.

Procedure for appointment of teachers.

8. The appointment of teachers shall conform to the following procedure-

(a) any vacant post or posts shall be filled by transfer within the service or by appointment from outside the service:

Provided that the Board shall have prior notification of the appointment or appointments and shall be given the opportunity, if it considers the person or persons to be appointed are not fit and proper persons to be teachers in that school, of stating its reasons therefor, for the consideration of the Department;

(b) teachers appointed shall be posted to the school for duty for the time being, and shall be liable to transfer to other schools, according to the exigencies of the service.
Teaching staff.

9. All teaching staff appointed to the school shall so far as is not inconsistent with these Articles of Management and with the relevant Regulations governing the appointment of officers in the public service come under the Department for general administrative, financial and disciplinary purposes.

Non-teaching staff.

10. Non-teaching staff other than clerical staff employed at the school shall be appointed by the Board after consultation with the Principal.

Organization and curriculum.

11. (1) The Minister shall determine the general educational character of the school and its place in the educational system of The Bahamas, and shall prescribe the basic curriculum and syllabuses of the school. Subject thereto, and to any regulations of the Minister from time to time, the Board shall, in consultation with the Principal, exercise the general oversight of the conduct of the school.

(2) The Principal shall, subject to any regulations of the Minister from time to time, control the conduct, internal organization, management and discipline of the school, the methods of teaching and arrangement of classes, and shall exercise supervision over the teaching and non-teaching staff. He shall have the power to suspend pupils from attendance for any cause which he considers adequate, but in suspending any pupil he shall forthwith report the case to the Board and to the Minister.

(3) There shall be full consultation at all times between the Principal and the Board.

(4) All major proposals affecting the conduct of the school shall be submitted formally by the Principal to the Board, and all major proposals by the Principal affecting the curriculum of the school shall be submitted formally by the Principal to the Board for consideration before transmission to the Minister for his consideration.

(5) There shall be full consultation and co-operation between the Board and the Department on all matters affecting the welfare of the school.

School holidays, etc.

12. (1) The Minister shall have the right to lay down standards for school hours, terms and holidays to which the school must conform:

Provided that the Board may for sufficient reason recommend variations to suit the circumstances of the school, subject, however, to the aggregate holidays prescribed by the Minister for any school year not being varied.

(2) The distribution of occasional holidays agreed by the Minister shall be determined by the Board in consultation with the Principal.

Admission of pupils.

13. (1) Subject to the Regulations issued by the Minister from time to time, no pupil applying for first admission to a primary school, who has attained the age of five years, shall be refused admission to such school.

(2) If it appears to the Principal that any child so admitted is suffering from a disability of mind or body of such a nature or to such an extent as to make him unable to benefit from the education offered by the school, or to render special educational treatment desirable, he shall report the case to the Minister, who shall arrange for the examination of the child by a medical officer authorised in that behalf.

School Standing Orders.

14. (1) The Principal may make, subject to the approval of the Board, School Standing Orders relating to the following matters, such Standing Orders to be in conformity with the Regulations of the Minister-

- (a) the registration, attendance and examination of pupils;
- (b) the discipline to be enforced on pupils both inside and outside the school;
- (c) the punishment and suspension of pupils;
- (d) the health, cleanliness and medical inspection of pupils;
- (e) school holidays and variations to be enjoyed by teachers and pupils;
- (f) the internal organization and management of the school.

(2) The School Standing Orders made under this Article shall be subject to the approval of the Minister, and copies shall be exhibited in a conspicuous place in the school premises for the information of all teachers and pupils at the school.

Returns.

15. The Board shall furnish to the Minister such returns and reports as he may require.

Copies of Articles.

16. A copy of these Articles shall be given to every Member, the Principal, and every teacher on entry into office.

57 of 1963, s. 24. SECOND SCHEDULE (Section 2(1))

EXEMPT SCHOOLS

All Roman Catholic Diocesan Schools.

St. Andrew's School.

The Baptist High School.

The Seventh Day Adventist Schools.

21 of 1996, s. 32. THIRD SCHEDULE (Section 14)

C.H. Reeves Secondary School

C.I. Gibson Secondary School

D.W. Davis Secondary School

H.O. Nash Secondary School

S.C. McPherson Secondary School

L.W. Young Secondary School

A.F. Adderley Secondary School

C.C. Sweeting Junior High School

C.C. Sweeting Secondary School

Government High School

R.M. Bailey Secondary School

C.R. Walker Secondary School

CHAPTER 46

EDUCATION

ARRANGEMENT OF SUBSIDIARY LEGISLATION

SECTION 9

Central Advisory Council for Education Rules

SECTION 14

Education (School Board Elections) Regulations, 1996

SECTION 30

Education (Technical Training Institutions) Regulations

SECTION 53

Education (Grant-in-Aid) Regulations

SECTION 56

Maintained Schools (Sale of Food) Regulations

SECTION 30

Institutions of Further Education (Registration) Regulations

CHAPTER 46

EDUCATION

CENTRAL ADVISORY COUNCIL FOR EDUCATION RULES

G.N. 253/1962

Act 25 of 1995

(SECTION 9)

[Commencement 17th November, 1962]

Short title.

1. These Rules may be cited as the Central Advisory Council for Education Rules.

Term of office of members of Central Advisory Council. Act 25 of 1995, s. 2.

2. The term of office of the members of the Central Advisory Council for Education appointed by the Minister under the provisions of subsection (2) of section 7 of the Education Act shall be for a period not exceeding three years.

Conditions of retirement of members of the council.

3. (1) The Minister may terminate the appointment of any member of the Advisory Council if the Minister is satisfied that a member-

(a) has been absent from meetings of the Council for a period longer than three consecutive months without the permission of the Council; or

(b) is incapacitated by illness; or

(c) is otherwise unable or unfit to discharge the functions of a member.

(2) Upon a member of the Council communicating in writing to the Minister a wish to resign from the Advisory Council for Education, the Minister may accept such resignation and such member shall therefrom cease to be a member of the Council.

Vacancies.

4. The Minister may appoint a new member to fill any vacancy occurring in the membership of the Advisory Council for Education and the member so appointed shall hold office until and inclusive of the thirty-first day of December next ensuing.

EDUCATION (SCHOOL BOARD ELECTIONS) REGULATIONS, 1996

S.I. 71/1996

(SECTION 14)

[Commencement 23rd September, 1996]

Citation.

1. These regulations may be cited as the Education (School Board Elections) Regulations, 1996.

Interpretation.

2. In these regulations-

"candidate" means a person qualified under subsection (2) of section 14 of the Act to be elected as a member of a School Board;

"Parliamentary Commissioner" means the Parliamentary Commissioner appointed under section 12 of the Ch. 7. Parliamentary Elections Act, 1992 and includes any person who is duly authorised in accordance with the provisions of that section to act on his behalf.

Method of election of members.

3. The method of election of members of a School Board mentioned in subsection (2) of section 14 of the Act shall be as follows-

(a) The Principal of a school shall provide a copy of the register of parents and guardians of children attending the school to the Minister who shall forthwith provide such copy to the Parliamentary Commissioner.

(b) The Parliamentary Commissioner shall give notice in Form A. Form A in the Schedule. Schedule of the holding of elections of members to the School Board by-

(i) publication in the Gazette and in the daily newspapers in general circulation in The Bahamas;

(ii) broadcast on radio and television; and

(iii) posting the notice on some conspicuous part of the school.

(c) A candidate must be nominated in writing in Form B. Form B in the Schedule. Schedule by not less than two persons who are parents or guardians of children attending the school. Nomination papers shall be delivered to the Parliamentary Commissioner and must bear the consent of the nominators. The Parliamentary Commissioner shall fix a date and time for nomination which shall be at least fourteen days before the appointed day of the elections. The Parliamentary Commissioner shall as soon as practicable after the closing date for nominations cause the names of the candidates offering themselves for election and such other information to be in Form C. Form C in the Schedule. Schedule, such form to be-

(i) published in the Gazette and in the daily newspapers in general circulation in The Bahamas;

(ii) broadcast on radio and television; and

(iii) posted on some conspicuous part of the school.

(d) If the number of candidates is the same as the number of vacancies available on the Board, the Parliamentary Commissioner shall declare the nominees duly elected in Form D. Form D in the Schedule. Schedule.

(e) In the event of there being more candidates than vacancies, election shall be by poll on the appointed day of the elections.

(f) Such number of scrutineers shall be appointed by the Parliamentary Commissioner at his discretion to conduct the poll. Voting papers shall be in Form E. Form E in the Schedule. Schedule.

(g) On the appointed day of the election each parent or guardian shall vote in person by placing a cross opposite the name of each candidate for whom he wishes to vote. Voting papers shall be null and void where a parent or guardian has voted for more than the full number of members to be elected.

(h) The decision of the scrutineers on the validity of voting papers shall be final. In the event of a dispute between the scrutineers a decision made by the Parliamentary Commissioner shall be final.

(i) All voting papers shall be examined and all votes counted in the presence of the Parliamentary Commissioner and the scrutineers on the appointed election day in the presence of the candidates or their representatives who are present.

(j) If two or more candidates receive an equal number of votes, the following provisions shall apply for the purpose of electing one or more of those candidates-

(i) the Parliamentary Commissioner or the scrutineers shall when declaring the results of the election declare a void election as between those candidates;

(ii) a fresh poll shall be taken on the fourteenth day after such declaration; and

(iii) if the result of a fresh poll is an equality of votes, the Parliamentary Commissioner or the scrutineers shall decide between the candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

(k) The scrutineers shall deliver written confirmation of the results of the poll in Form F. Form F in the Schedule. Schedule to the Parliamentary Commissioner who shall as soon as possible in writing notify the Commissioner who shall, as soon as possible in writing notify the Minister and cause the results to be-

(i) published in the Gazette and in the daily newspapers in general circulation in The Bahamas;

(ii) broadcast on radio and television; and

(iii) posted on some conspicuous part of the school.

SCHEDULE (Regulation 3)

FORM A (Paragraph (b))

Form of Notice of Election

ELECTION OF SCHOOL BOARD MEMBERS

FOR

.... (name of School)....

NOTICE OF ELECTION

TAKE NOTICE that an election of... (insert the number)... members to sit on the School Board of the above mentioned School is to be held on the... (state the date in full on which the elections are to be held)...

All intending candidates must be citizens of The Bahamas eighteen years of age and over.

Nomination papers must be delivered by the intending candidate or by one of the nominators to the Parliamentary Commissioner or his representative at... (state the location)...between the hours of... and...on...(state the date)... being the nomination day for the said election.

Nomination forms may be obtained from the school or from the Parliamentary Commissioner during normal school hours or normal office hours.

DATED:.....

(signature)

The Parliamentary Commissioner

FORM B (Paragraph (c))

Form of Nomination Paper
ELECTION OF SCHOOL BOARD MEMBERS
FOR

....(name of School)....

NOMINATION PAPER

I,.... (insert full name).... of.... (address)....; and.... (full name)....of.... (address)....,hereby nominate the candidate named below for election as a member of the School Board of the above mentioned School:

Candidate's
surname * Other names in full
Date & Place of birth
Place of residence
Occupation
Candidate's signature Date

Signature of Nominator
Date

Signature of Nominator
Date

FORM C (Paragraph (c))

Form of Notice of Nomination in a Contested Election
ELECTION OF SCHOOL BOARD MEMBERS
FOR

.... (name of School)....

NOTICE OF NOMINATIONS

AND

NOTICE OF POLL

NOTICE is hereby given that the candidate named below stand nominated in the above mentioned election and NOTICE is hereby given that the Poll will take place on the.....day ofbetween the hours of.....in the morning and.....in the afternoon in the following polling place:

[Insert location of the polling place]

.....
Candidate's surname Other names in full Place of residence Occupation

DATE.....

(signature)
The Parliamentary Commissioner

FORM D (Paragraph (d))

Form of Notice of Nominations in an Uncontested Election
 ELECTION OF SCHOOL BOARD MEMBERS
 FOR

.... (name of School)....

NOTICE OF NOMINATIONS AND
 DECLARATION OF RESULT

NOTICE is hereby given that the candidates named below being the only candidates standing in the above mentioned election, ARE HEREBY DECLARED elected to serve as members of the mentioned School Board.

Candidate's surname Other names in full Place of residence Occupation

DATE.....

(signature)

The Parliamentary Commissioner

FORM E (Paragraph (f))

Form of Voting Paper

Candidate's name Box *

FORM F (Paragraph (k))

Notice of Result of School Board Elections

SCHOOL BOARD ELECTIONS

FOR

....(name of School)....

DECLARATION OF RESULT OF THE POLL

NOTICE is hereby given that on the taking of the Poll in the above mentioned election which was contested, the following were elected as the members of the above mentioned School Board:

(1) Candidate's surname Other Names in full Occupation and address

.....

.....

AND NOTICE is hereby given that the numbers of the votes cast for the several candidates in the said election were as follows:

(1) Candidate's surname Other Names in full Votes

polled

.....

.....

.....

.....

DATED:.....

(signature)

The Parliamentary Commissioner

EDUCATION (TECHNICAL TRAINING INSTITUTIONS) REGULATIONS

S.I. 23/1971

(SECTION 30)

[Commencement 19th April, 1971]

Citation.

1. These Regulations may be cited as the Education (Technical Training Institutions) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires-

"Act" means the Ch. 46. Education Act;

"Department" means the Department of Education established under section 5 of the Act;

"Minister" means the Minister responsible for Education;

"Principal" means the public officer appointed to be in charge of an Institution;

"Institution" means the Nassau Technical College and any other Technical College which may from time to time be established by the Minister under subsection (1) of section 30 of the Act.

Conduct of Institutions.

3. An Institution shall be conducted in accordance with the provisions of the Act, any relevant regulations made thereunder, and any standing orders issued by the Principal in the terms of regulation 17 of these Regulations.

Finance

4. (1) The Principal shall in each financial year, at such time as the Minister shall determine, submit to the Minister an estimate in a form approved by the Minister of the expenditure required for the next succeeding school year for the following purposes of the Institution-

(a) repair and maintenance of the premises of the Institution;

(b) supplies, furniture and equipment;

(c) books and materials;

(d) staff; and

(e) new buildings and extensions and improvements of existing buildings.

(2) The Minister shall consider such estimates and may make such variations thereto as may be required by the educational policy of the Minister.

(3) All instances of expenditure by the Principal in respect of individual items in the Estimates shall, save as hereinafter provided, require the specific prior approval of the Minister in writing, and the amount approved by the Minister in each instance shall not be exceeded.

(4) The Principal shall be responsible for the receipt and proper disbursement of all money, and the safe custody of all money and property which may be entrusted to him, and for duly accounting for the same.

Tuition fees.

5. (1) Tuition fees payable at an Institution shall be such as the Minister may from time to time determine.

(2) All tuition fees shall be payable in advance and refunds thereof may be made only in exceptional circumstances with the approval of the Minister.

Use of premises of an Institution.

6. The Principal may, subject to any direction given by the Minister relating to the use of the premises of an Institution, determine the use to which such premises or any part thereof may be put out of Institution hours.

Appointment of Principal.

7. The Principal shall be a member of the public service, and his appointment and conditions of service shall be governed by the appropriate regulations in force in that behalf.

Appointment of lecturers.

8. (1) The lecturers in an Institution shall be members of the public service, and their appointment and conditions of service shall be governed by the appropriate regulations in force in that behalf.

(2) The appointment of lecturers shall be made in accordance with the following procedure-

(a) the existence of any vacant post or posts shall be notified to the public by advertisement in time to enable candidates to make application in accordance with such advertisement and, in the event of a short list of candidates being drawn up for consideration, the appointment may be made in consultation with the Principal:

Provided that a lecturer or teacher already in the public service may be transferred to any such vacancy according to the exigencies of the service;

(b) lecturers shall, on appointment, be posted to an Institution but shall be liable to transfer to other educational work in the Ministry according to the exigencies of the service:

Provided that the views of the Principal shall be obtained on the transfer of any lecturer away from an Institution.

Organisation of the Institution and courses to be provided thereat.

9. (1) The Minister shall determine the general educational character of an Institution and its place in the educational system of The Bahamas, and shall prescribe the courses to be provided at an Institution. Subject thereto, the Principal shall exercise the oversight of the conduct of the Institution.

(2) Subject to the provisions of these Regulations, the functions of the Principal shall be-

(a) to supervise the teaching, work and conduct of the staff of the Institution;

(b) to supervise the discipline, work and conduct of the students of the Institution;

(c) to be responsible for the choice of textbooks and the method of teaching used in the

Institution;

(d) to be responsible for the arrangement of the course to be provided at the Institution; and

(e) generally to be responsible for the internal organisation and administration of the

Institution.

(3) All major proposals by the Principal affecting the conduct of the Institution or the courses provided thereat shall be submitted in writing by the Principal to the Minister for his consideration and approval.

Suspension of students.

10. (1) It shall be lawful for the Principal to suspend from attendance of the Institution any student who for gross misconduct may be considered injurious or dangerous to other students or whose attendance at an Institution is likely for any serious cause to have detrimental effect upon the other students, so however, that no such suspension shall be for a period exceeding one week.

(2) Where any student is suspended from attendance under paragraph (1)-

(a) the Principal shall immediately notify the Minister of the suspension and the reasons therefore;

(b) the Minister may, after receipt of the notification-

(i) order the extension of the term of suspension in order to enable proper inquiries to be made;

(ii) after due investigation, order the re-instatement of the student on a date to be fixed by him;

(iii) order the expulsion of the student.

(3) Any order made by the Minister under paragraph (2) shall be final.

Termination of training.

11. (1) The Minister may, on the recommendation of the Principal, terminate the training of any person attending the Institution for failure to make adequate progress in his studies.

(2) The failure by a person in a prescribed examination may be regarded as evidence of failure to make adequate progress.

Institution holidays.

12. (1) The Minister shall specify in writing the hours, academic terms and years and the holidays for an Institution and such Institution shall comply therewith:

Provided that the Principal may for sufficient reason vary the holidays of the Institution to suit the circumstances of such Institution, subject, however, to the aggregate number of holidays specified by the Minister under paragraph (1) for any academic year not being exceeded.

(2) The distribution of the occasional holidays agreed to by the Minister shall be determined by the Principal.

Principal to draw up Calendar.

13. The Principal shall draw up annually a Calendar for the Institution. Such Calendar shall be approved by the Minister.

Admission of students.

14. (1) No person shall be admitted as a student of an Institution before he has attained the age of sixteen years:

Provided that persons under the age of sixteen years may be so admitted where a special course of study has been arranged by the Principal for such persons.

(2) No person attending school shall be admitted as a student of an Institution without the approval of the Principal.

Qualifications of students.

15. Any person shall be eligible for admission to and as a student of an Institution who satisfies the Principal by examination (written or otherwise) and/or interview that his standard of education is such that he is likely to benefit from the course to be taken:

Provided that a person who is a citizen of The Bahamas shall be accorded preference in the selection of persons for admission to an Institution.

Special leave.

16. The Principal may grant a member of staff leave of absence from duty on the grounds of urgent private affairs for a period not exceeding one day:

Provided that the circumstances of any such leave shall immediately be reported to the Minister.

Institution standing orders.

17. (1) The Principal may, subject to the approval of the Minister, make standing orders for the Institution relating to the following matters-

(a) the admission, attendance, qualifications and examination of students;

(b) the discipline of students both inside and outside the Institution;

(c) the punishment and suspension of students;

(d) the health, cleanliness and medical examination of students;

(e) the holidays and the vacations to be enjoyed by the staff and students of the Institution;

(f) the management, control and organisation of the library of the Institution;

(g) the uniform or dress to be worn by students attending the Institution;

(h) the safety measures to be taken by the staff, students and other persons in the Institution in the event of an emergency;

(i) the internal organisation and management of the Institution.

(2) Copies of any standing orders made under paragraph (1) of this regulation shall be exhibited in a conspicuous place on the premises of the Institution and shall also be given to every lecturer and student of the Institution.

Returns.

18. The Principal shall furnish to the Minister such returns and reports as the Minister may require.

EDUCATION (GRANT-IN-AID) REGULATIONS

S.I. 2/1981

S.I. 29/1986

S.I. 65/1992

S.I. 2/1995

S.I. 36/1999

(SECTION 53)

[Commencement 1st January, 1980]

Citation.

1. These Regulations may be cited as the Education (Grant-In-Aid) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires-

"academic year" means the period commencing with the first day of the school term next following 1st September in any year and terminating with the last day of the school vacation ending next after 1st September in the succeeding year;

"graduate teacher" means a teacher holding a degree from any University recognised by the Minister for the purposes of these Regulations;

"grant-in-aid" means any assistance provided under S.I. 65/1992. section 53 of the Act;

"trained teacher" means a teacher who has successfully completed a course of training approved by the Minister as entitling a teacher to be regarded as trained.

Qualifying conditions for payment of grant-in-aid.

3. The Minister may in accordance with the provisions of S.I. 65/1992. section 53 of the Act approve the payment of grant-in-aid to any school (other than a maintained school) which provides education of the sort specified in S.I. 65/1992. section 12 of the Act subject to the terms and conditions following, that is to say-

(a) grant-in-aid shall only be paid in respect of schools situated in areas in The Bahamas where, in the opinion of the Minister, there are not enough maintained schools to fulfil the provisions of section 13 of the Act;

(b) grant-in-aid shall not be paid in respect of any school-

(i) unless there are no more than one untrained teacher to every three regularly employed trained and graduate teachers in the school; or

(ii) in which more than two-thirds of the regularly employed full-time teachers in the school, whether graduate, trained or untrained, are deemed by the Minister to have academic qualifications which are below the standard required to ensure the proper tuition of the pupils in a school of that standing or status unless the academic qualifications of the trained and graduate teachers in the school are equivalent to or higher than those of such teachers in a maintained school of an equivalent standing or status.

(c) grant-in-aid shall not be paid in respect of any school which shall not be open for a minimum of 180 days or 360 sessions in each academic year and which in the opinion of the Minister does not provide efficient full-time education having regard to the type of school;

(d) in the case of a primary school, there are no more than thirty pupils to every one regularly employed trained and graduate teacher and in the case of a secondary school there is one such teacher to every twenty-five pupils;

(e) that in calculating the teacher/pupil ratio no account shall be taken of the pupils who, in the case of a primary school, will not reach their fifth birthday by the thirtieth day of September in the

academic year in respect of which the grant is payable or of pupils who, in the case of a secondary school, have reached their nineteenth birthday before the thirty-first day of July in such academic year:

Provided that account may be taken of a pupil who has reached his nineteenth birthday during the academic year for which the grant-in-aid is payable, if that pupil is pursuing a course which will lead to his sitting for an examination recognised by the Minister as equivalent to the Ordinary or Advanced Level examination of an examining body approved by the Minister during the academic year in which he reached his nineteenth birthday, or in the year succeeding the academic year in which he reached his nineteenth birthday if he is pursuing a course which will lead to such a pupil sitting for an Advanced Level examination or its equivalent recognised by the Minister;

(f) the total enrolment (primary and/or secondary) and the total number of children who may be enrolled in each class or in each division of a class or in any school in respect of which grant-in-aid may be paid may be limited by the Minister in accordance with regulation 6;

(g) the school shall not increase its tuition fees without the prior written approval of the Minister:

(h) the management of the school receiving or applying for grant-in-aid shall submit such information and returns as may be required by the Minister including information as to total enrolment, number of classes or divisions of classes, numbers of teachers (graduate, trained and untrained) their names, ages, addresses and qualifications;

(i) no teacher employed in a school in respect of which grant-in-aid is paid, may, without the approval of the Minister in writing, teach elsewhere during normal school hours in any class or division of a class in any school or institution providing full-time instruction;

(j) the management of each school in respect of which grant-in-aid is payable shall obtain from the teachers therein for forwarding to the Minister as and when requested by him such certificates and diplomas as may be necessary to enable the Minister to evaluate the status of each teacher employed in the school;

(k) a register is kept for each class in every school in receipt of grant-in-aid showing the name of each pupil, the respective dates of birth and whether the pupil attended each school day or not;

(l) the management of any school receiving or applying for grant-in-aid shall reside in a body located in and amendable to the laws of The Bahamas; and

(m) the Minister shall be entitled to nominate two persons to the management body of any school receiving grant-in-aid.

Rate of grant-in-aid.

4. Subject to regulation 3, grant-in-aid shall be paid in accordance with Schedule A to the managing body or authority of the respective schools mentioned in that Schedule:

Provided that the payment to a body or authority shall be subject to the continuance in each school under the supervision of that body or authority of such conditions relating to population and staffing which when taken as a whole are no less than those that prevailed at 31st December, 1979:

And provided further that the payment of grant-in-aid in accordance with Schedule A shall if necessary be modified if the rate thereof affords to a recipient school greater monetary assistance than is provided to a maintained school of equivalent status or standing.

Method of application for grant-in-aid.

5. Applications for grant-in-aid shall be made in such manner as the Minister may direct, and until the Minister otherwise directs, shall be made in the manner specified in Schedule B.

Approval of grant-in-aid.

6. (1) The Minister shall notify the management of the school in writing of his decision to approve the payment of any grant-in-aid.

(2) Every notification of approval for the payment of grant-in-aid shall specify-

- (a) the maximum enrolment (primary and/or secondary) in the school in respect of which grant-in-aid will be paid; and
- (b) the maximum enrolment (primary and/or secondary) in each class or in each division of a class in the school in respect of which grant-in-aid will be paid.

(3) The Minister may from time to time vary any maximum enrolment specified in any notification of approval given under this regulation and shall inform the management of the school in writing of any such variation.

Method of paying grant-in-aid. S.I. 36/1999.

7. Grant-in-aid shall be paid annually in monthly instalments.

Communication of changes.

8. The management of every school receiving grant-in-aid shall forthwith notify the Minister of any changes affecting a teacher's salary and/or allowance.

Termination of teacher's appointment.

9. The management of every school receiving grant-in-aid shall forthwith notify the Minister of the termination of a teacher's appointment.

Returns.

10. (1) The management of every school receiving grant-in-aid shall make a return of income and expenditure in accordance with Schedule C.

(2) Each return shall be certified by an independent public accountant the name of whom is on a list approved by the Minister.

S.I. 29/1986; S.I. 2/1995. SCHEDULE A (Regulation 4)

RATE OF GRANT-IN-AID

The Annual grant-in-aid to be paid to independent schools shall be as follows-

Anglican Schools (Anglican Education Authority)	\$ 1,061,500
Baptist Schools (Bahamas National Baptist Convention Incorporated - The Board of Governors of Jordan and Prince William Schools)	\$ 603,000
Catholic Schools (Catholic Education Authority Superintendent of Catholic Education)	\$1,562,000
Kingsway Academy	\$ 140,000
Seventh Day Adventist Schools	\$ 315,000
St. Augustine's College	\$ 426,400
St. Paul's College	\$ 199,000
Queen's College	\$ 470,100
Sunland Lutheran School	\$ 82,000

SCHEDULE B (Regulation 5)

APPLICATIONS FOR GRANT-IN-AID

1. Applications for grant-in-aid to be approved by the Minister in respect of any school shall be submitted in writing by the management of the school and addressed to the Permanent Secretary, Ministry of Education.

2. An application for grant-in-aid shall be accompanied by such particulars as are required by Forms A and B of this Schedule and as are applicable.

3. The management of a school in receipt of grant-in-aid shall at the end of each academic year, in respect of the immediately preceding period January to August, and at the end of the school term next following that year, in respect of the immediately preceding period September to December, submit to the

Permanent Secretary, Ministry of Education, particulars in accordance with Forms A and B of this Schedule.

4. The particulars in Form A shall state-

(i) the total enrolment in the school, showing where applicable, the primary and secondary pupils separately, such total to be calculated by taking that number of registered pupils who attended school on the last day of the month nearest to that in which the period, to which the particulars relate, ends:

Provided that a registered pupil shall be deemed to be attending school on that day if he is named on the roll of the school and if he has not been absent from school for more than fourteen days prior to such last day and if he is not absent from school for more than twenty-five school days in all during the period;

(ii) the total teaching staff of the school, showing, where applicable, the primary and secondary teachers separately.

5. In Form B, there shall be given details of the academic and professional qualifications (supported by copies of the relevant certificates, diplomas etc.), teaching experience, special responsibilities (e.g. heads of departments, etc.) of every teacher employed in the school in respect of which grant-in-aid is applied for.

6. The certificate in Form A shall be signed by the person appointed by the management to perform the duties of Headmaster of the school.

FORM A

PARTICULARS OF STUDENT BODY

Name of School

Total teaching staff employed - Graduate Trained Untrained

Number of pupils attending school or deemed to be attending school on

Date

Class 1	Form 1
Class 2	Form 2
Grade 1	Form 3
Grade 2	Form 4
Grade 3	Form 5
Grade 4	Form 6A
Grade 5	Form 6B
Grade 6	Total pupils.....
Grade 7	B\$

I certify that all the pupils referred to above reached their fifth birthday not later than September 30th, 19... and that no pupil has reached his 19th birthday by the date of this certificate save for those referred to below.

Signed

Headmaster

Date

Pupils who have reached their nineteenth birthday:

Name of Pupil Class Sitting for "O" Level examination in month year Sitting for "A"

Level examination in month year

NOTES

(1) If there are more than one division in any class, grade or form, all such divisions shall be shown separately.

(2) Separate forms should be submitted in respect of primary and secondary sections of any schools which cater for both such categories of education.

For Official Use only:

Teacher/Pupil ratio

Ratio of untrained to graduate and trained teachers

FORM B

Name of School

Name of Teacher

Classification of Teacher (viz: Graduate, Trained or Untrained)

.....

Academic qualifications

.....

.....

Professional qualifications

.....

.....

Incremental date

Special responsibilities (for calculation of responsibility allowance)

.....

NOTES:

(1) To be supported by certificates, diplomas, etc. when first application is made or in the event of additional qualifications being required.

(2) Any change affecting emoluments to be notified to the Ministry of Education & Culture immediately it occurs.

For Official Use only:

Salary at Government rates equated at \$ P.A.

Responsibility Allowance at \$ P.A.

Government rates calculated at \$ P.A.

SCHEDULE C (Regulations 10(1))

RETURNS

1. The management of each school in respect of which grant-in-aid is paid shall submit to the Ministry of Education not later than 31st December of each year a return of income and expenditure on the form prescribed in Form A of this Schedule in respect of that year.

2. The return shall be accompanied by a certificate signed by the management or by a person duly authorised by the management as follows:

"I certify that school complies with the provisions of section 54 of the Education Act.

Dated Signed and shall be

accompanied by the certificate required by regulation 10(2) of these Regulations.

FORM A

GRANT-IN-AID

RETURN OF INCOME AND EXPENDITURE

Income

1. Fee Revenue by classes

Class	No. on roll	Fee per Child p.a.	Remissions	Total fees Received
-------	-------------	--------------------	------------	---------------------

.....
.....
.....
.....
.....
.....

2. Other Revenue

Grant-in-Aid for Academic year September 19

3. Other Revenue (give details)

Total Revenue

Expenditure

1. Teaching
2. Clerical Salaries
3. Subordinate Staff Salaries
4. Boarding Staff Salaries
5. School Equipment costs (excluding Furniture)
6. Classroom Furniture
7. Boarding Equipment costs (excluding Furniture and Machines)
8. Boarding Furniture and Machines
9. Clerical Supplies (excluding Furniture and Machines)
10. Clerical Furniture and Machines
11. Repairs, Maintenance and Improvements of Furniture, etc.
12. Cleaning Materials
13. Upkeep of grounds
14. Transport and Travelling
 - (a) local
 - (b) overseas
15. Rent of School Buildings
16. Rent of Teachers' Houses and Flats
17. Electricity and Water and Sewerage
18. Postage, Stationary and Telephones
19. Examination Expenses
20. Repayment of Loans-Interest
21. Other Expenditure (give details)

Total Expenditure

MAINTAINED SCHOOLS (SALE OF FOOD) REGULATIONS

S.I .3/1970

(SECTION 56)

[Commencement 15th January, 1970]

Citation and application.

1. These Regulations may be cited as the Maintained Schools (Sale of Food) Regulations, and shall apply to every school maintained by the Minister under the provisions of the Education Act, in these Regulations referred to as a "maintained school".

Unlawful to sell food on school premises without a licence.

2. No person shall sell upon the premises of any maintained school-

- (a) food of any description for human consumption except under and in accordance with the terms of a valid licence issued under the provisions of these Regulations; or
- (b) subject to the provisions of regulation 11, any beverage for human consumption.

Issue of licences.

3. (1) An application for a licence to sell food on the premises of any maintained school shall be made in writing to the Headmaster or Principal, who shall forward any such application with his recommendation thereon to the Director of Education.

(2) Upon consideration of any such application and the recommendation of the Headmaster or Principal of the school, the Director may, if he thinks fit, issue a licence to the applicant; and every person to whom a licence is so issued is in these Regulations referred to as a "licensed food vendor."

(3) Subject to the provisions of these Regulations, every licence shall be valid for twelve months from the date of issue and shall then, unless renewed, expire.

Scope of licence.

4. A licence issued under the provisions of these Regulations shall entitle the holder of the licence, and any assistant in his employ, to sell such items of food as are specified in the licence to pupils and members of the staff of the school concerned upon the premises between the hours of 11:45 a.m. and 12:45 p.m. on each day when the school is open.

Location.

5. A licensed food vendor shall conduct his business on the school premises at and only at a location to be selected by the Headmaster or Principal, and the Headmaster or Principal may alter the location from time to time if necessary in the interests of good school management.

Hygiene and tidiness.

6. (1) A certificate of health signed by a registered medical practitioner shall be obtained not later than six months after the commencement of business at any school by every licensed food vendor in respect of himself and every assistant selling on school premises and thereafter at intervals not in any case exceeding six months, and every such certificate shall be presented for the inspection of the Headmaster or Principal when obtained.

(2) Every licensed food vendor and every such assistant as aforesaid shall at all times when selling food on school premises be neat in appearance and dressed in a suitable, clean and freshly laundered uniform.

Disposal of litter, etc.

7. Every licensed food vendor shall be responsible for the disposal of all litter arising out of the conduct of his business on any school premises and shall provide suitable garbage bins for its disposal unless dispensation is received from the Headmaster or Principal or the Director of Education.

Inspections.

8. (1) A licensed food vendor shall produce his licence for inspection when so required by the Headmaster or Principal or any person authorised in that behalf by the Minister.

(2) Daily or periodic inspections of the conduct of the business of a licensed food vendor on school premises may be made by the Headmaster or Principal or by any inspecting officer of the Ministry of Education designated by the Director.

Licence fees.

9. A fee of two dollars in respect of any school having a pupil roll of less than four hundred names and of five dollars in respect of any school having a pupil roll of four hundred names or over shall be due and payable by every licensed food vendor on the first day of each term and shall be paid to the Headmaster or Principal.

Cancellation of licence.

10. (1) If any licensed food vendor commits any breach of or fails to comply with any of the provisions of these Regulations or of any term of his licence, it shall be the duty of the Headmaster or Principal to bring the matter to his attention and to warn him that a recurrence of the breach or continued non-compliance may entail the cancellation of his licence.

(2) In the event of a flagrant or persistent breach or of non-compliance after warning as aforesaid, the Headmaster or Principal shall report the matter to the Director of Education, and the Director may call upon the vendor in writing to show cause why his licence shall not be cancelled. In any such case, after consideration of any representations which the vendor may make, the Minister may cancel the licence, and his decision shall be final.

Vending machines.

11. The prohibition of the sale of beverage imposed by paragraph (b) or regulation 2 shall not apply to the sale of any beverage by any person by means of automatic vending machine installed on the premises of any maintained school in accordance with the terms of any agreement between the school committee and the owner of the machine.

INSTITUTIONS OF FURTHER EDUCATION (REGISTRATION) REGULATIONS

S.I. 12/1971

(SECTION 30)

[Commencement 4th February, 1971]

Title.

1. These Regulations may be cited as the Institutions of Further Education (Registration) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires, the expression "institution" means any university, college, school or other organized institution in or by which courses in further education are conducted.

Mode and particulars to be included in application.

3. Every application by a proprietor for the registration of an institution shall be made in writing addressed to the Director of Education and Culture, P.M. Bag 214, Nassau (hereinafter referred to as "the Registrar") and shall contain the particulars specified in the Schedule to these Regulations.

Communication of particulars of changes.

4. (1) During the month of October in every year, every proprietor shall communicate in writing to the Registrar particulars of any changes in the institution since the date of the particulars last furnished by him, in relation to-

- (a) the number of students by sex and age groups;
- (b) the number of boarders, if any, by sex group;
- (c) the instructing or lecturing staff, and
- (d) any other matter of which particulars are required by regulation 3 and the Schedule to these

Regulations to be supplied to the Registrar on an application for registration.

(2) If there is any change in the proprietorship or postal address of the institution, particulars of the change shall immediately be furnished in writing to the Registrar by the proprietor.

Failure to communicate particulars of changes.

5. If at any time it appears to the Registrar that a proprietor has failed to comply with the requirements of regulation 4 of these Regulations, the Registrar may, by notice in writing, require the

proprietor to furnish such particulars in relation to the matters mentioned in that regulation as he may specify; and if the proprietor fails to comply with the terms of such notice within two months from the date thereof, the Minister may order the name of the institution to be deleted from the register.

SCHEDULE (Regulation 3)

RETURN TO BE MADE FOR THE PURPOSES OF REGISTRATION

UNDER SECTION 30 OF THE EDUCATION ACT

AND THE INSTITUTIONS OF FURTHER EDUCATION (REGISTRATION) REGULATIONS

- (1) Name of Institution.
- (2) Full Postal Address.
- (3) Name or Description of Proprietor.
- (4) The reasons for wishing to register an institution of further education together with proof that the establishment and conduct of the institution will be in the best interests of the public generally and also of those members of the public likely to resort thereto.
- (5) A description of the premises to be used. This should deal with such matters as square footage proposed per student, toilet facilities, lighting, fenestration, ventilation, recreation facilities, if any, safety measures, e.g. fire control, emergency exits, etc., and the equipment to be provided.
- (6) Detailed plans for approval by the Ministries of Education and Culture, Health and Works, the Fire Department of the Royal Bahamas Police Force and (other than in the Freeport area) by the Town Planning Department.
- (7) The number, ages and sex of the students who are expected to attend the institution.
- (8) A precise description of the kind and range of instruction to be provided for the different ages and sexes of students.
- (9) Details of the proposed courses of study and examinations, if any, for which students will be prepared. Information under this item should reveal whether certificates or diplomas are to be issued for the successful completion of a course, whether the qualification will be external or internal and, if internal, an evaluation vis-a-vis other similar qualifications recognized by the Ministry. Curriculum syllabuses and timetables should be provided as well as proof that the courses will be of educational, cultural, economic or other benefit to the Commonwealth.
- (10) The teacher/student ratio which will be observed.
- (11) A statement of the qualifications for entry to any course to be offered at the institution.
- (12) Details of the qualifications and experience of each member of the staff to be employed supported by certificates, diplomas, etc.
- (13) The fees to be charged, if any, and whether they will cover tuition, equipment, materials, textbooks, etc.
- (14) Whether boarding facilities are contemplated and, if so, what arrangements are contemplated for the supervision of boarders. Detailed plans must be supplied, c.f. (6) above.
- (15) A description of the area from which students will be recruited and a statement whether any restrictions are proposed on entry on the grounds of age, sex, nationality, race, religion or social standing.
- (16) A description of what medical facilities will be available.
- (17) What institutional terms, number of sessions per term or per course and daily hours of work will be observed.
- (18) Whether accommodation for staff will be provided and if so, detailed plans should be provided, c.f. (6) above.

APPENDIX 3: REGISTRATION GUIDELINES AND

GUIDELINES FOR REGISTRATION AND SUBSEQUENT SUBMISSIONS

(Extracted from Guidelines for Registration, prepared by the Quality Assurance Unit, included in the revised Five Year Plan for the Development of a Quality Assurance Council for Education and Training in The Bahamas, 2000)

"Registration" certifies that an institution/provider offering/proposing to offer an educational service in The Bahamas has met the criteria for the provision of such services stated in the Education Act (1962 as amended). The criteria for registration are designed to provide registered institutions with a foundation for logical development towards accreditation. Registration status, however, can in no way be equated to accreditation. Institutions/Providers that are registered by the Ministry of Education, Youth & Sports should not purport for promotional purposes to be 'accredited' by the Ministry of Education. Institutions/Providers making such a claim do so in contravention of the Act.

A. CRITERIA FOR REGISTRATION,

The institution/provider must:

1. have a clearly defined structure of governance which is the final authority with respect to the formulation and implementation of basic policies that govern the institution/provider;
2. have a clearly defined statement of the mission and purpose of the institution/provider in terms of its specific aims and goals within the context of the national goals;
3. have adequate accommodation in terms of space, physical facilities, lightning and safety provisions;
4. offer or plan to offer one or more post-secondary educational programmes. The programmes must have clearly defined objectives and be consistent with the institution's/provider's mission and purpose;
5. have an evaluation process on which the award of a certificate, diploma or degree is to be based;
6. have admissions policies compatible with its stated mission and instructional objectives
7. own or have access to sufficient learning resources and services to adequately support the proposed courses and programmes;
8. have sufficient academic, administrative and support staff with qualifications and experience appropriate for their tasks and to the institution's/provider's mission and purpose;
9. have a plan for the educational, physical and financial growth of the institution/provider as well as a method of evaluation of its efficiency and effectiveness;
10. disclose all information required by the Tertiary and Quality Assurance Division for the purpose of evaluating and registering the institution/provider;
11. accept the right of the Ministry of Education, through the Tertiary and Quality Assurance Division, to provide information regarding the registration status of the institution/provider.

B. PROCEDURES FOR REGISTRATION

1. The proprietor (Principal/President/Director) of the institution/provider seeking registration should obtain copies of the relevant Regulations, Schedule and Application Form from the Quality Assurance Unit.
2. The Institution/provider should file an application with the Quality Assurance Unit along with documentation of its conformity with the criteria for registration. This will be the primary source of information to be used in the evaluation of the institution/provider.

3. The Quality Assurance Unit will review the application and documentation to make an initial determination of the institution's/provider's eligibility for registration. Where the information submitted by an institution/provider is incomplete/unclear, the Quality Assurance Unit shall seek additional clarification from the institution/provider.
4. In reviewing the application and documentation the Quality Assurance Unit will seek the input of professionals/practitioners with appropriate expertise and objectivity, where necessary. It will also seek to verify affiliations/articulations/associations, whether locally or internationally,
5. If the initial determination is favourable the Quality Assurance Unit will determine a suitable time for the Registration Evaluation Team to conduct a site visit of the institution/provider. The Team comprises members of the Quality Assurance Unit and when necessary, professionals/practitioners with appropriate expertise and objectivity. The purpose of the site visit is to determine the extent to which the institution/provider is in conformity with the registration criteria.
6. The Registration Evaluation Team prepares a written report and communicates to the institution/provider regarding any additional materials or matters in need of attention.
7. The Tertiary and Quality Assurance Division forwards a full report and recommendation to the Permanent Secretary for approval by the Minister.
8. If approved, the Tertiary and Quality Assurance Division forwards a letter of registration to the applicant. The letter of registration informs the institution/provider of the registration decision and specifies the programmes/courses for which the institution is registered and the island on which these services are to be offered. If not approved, the letter will indicate this stating the reasons registration is being withheld and make recommendations for actions if resubmission is desired.

C. CONTINUING REGISTRATION AND SUBSEQUENT SUBMISSIONS

1. The Proprietor/Principal/President/Director of every registered institution/provider shall provide the Tertiary and Quality Assurance Division, during the month of October each year, with an annual report of the performance of said institution/provider. The report should include particulars of any changes in the institution/provider since the date of its registration or the last annual report, as applicable.
2. Requests to offer additional programmes/courses and/or to expand operation to islands other than that for which original registration was given must receive prior approval of the Minister. Such requests must be submitted under separate cover. The reviews of programmes/courses in this instance are guided by adherence to the same criteria as outlined in "A. CRITERIA FOR REGISTRATION" listed above.
3. The Tertiary and Quality Assurance Division prepares a written report and communicates to the institution/provider regarding any additional materials or matters in need of attention.
4. The Tertiary and Quality Assurance Division forwards a full report and recommendation to the Permanent Secretary for approval by the Minister.
5. If approved, the Tertiary and Quality Assurance Division forwards a letter of registration to the applicant. The letter of registration informs the institution/provider of the registration decision and specifies the programmes/courses for which the institution is registered and the island on which these services are to be offered. If not approved, the letter will indicate this stating the reasons registration is being withheld and make recommendations for actions if resubmission is desired.

NOTE: Institutions/providers whose registration application is not approved may appeal the decision, through the Office of the Permanent Secretary, Ministry of Education

APPLICATION FOR REGISTRATION

RETURN TO BE MADE FOR THE PURPOSE OF REGISTRATION UNDER SECTION 32 A OF THE EDUCATION ACT, AND THE INSTITUTION OF FURTHER EDUCATION (REGISTRATION) REGULATIONS 1970

1. Name of Institution.
2. Full Postal and Street Address
3. Name and Curriculum Vitae of
 - a) Proprietor
 - b) Principal/ President or Director, (if different)
4. Proposed date of Opening Of Institution.
5. **CORPORATE STATUS/ or TYPE OF OWNERSHIP/ or TYPE OF CONTROL:**
State whether the institution is owned by a religious organization, company or other. Provide a copy of the Business licence.
6. **AFFILIATION/ OR ARTICULATION AGREEMENTS:**
State whether the institution is affiliated with or will seek articulation agreement with established/ accredited institutions either local or overseas. Provide a copy of the agreement.
7. **GOVERNANCE:**
State how governing body or board will be constituted. Indicate name, position and qualification of each member. The composition of the governing body should be such that the public interest is broadly represented in its membership.
8. **MISSION STATEMENT AND PURPOSE:**
This should define the basic character of the institution, the reason for wishing to establish it as an institution of further education, constituents to be served and proof that the establishment and conduct of the institution will be of educational, cultural and economic or other benefit of the Commonwealth of The Bahamas.
9. **PHYSICAL RESOURCES/ FACILITIES:**
A description of the premises to be used. This should deal with such matters as square footage proposed per student, toilet facilities, lighting, ventilation, recreation facilities, catering, boarding and medical facilities (if these are

contemplated), safety measures, e.g. fire control, emergency exit etc., and the equipment to be provided.

Copies of the relevant approvals by the Ministry of Public Works, Environmental Health Services and the Royal Bahamas Police Fire Services should be provided.

10. **LEARNING RESOURCES:**
State the learning resources which will be available to students e.g. Library facilities, Labs, Computers, Media facilities, etc.,
11. **CLIENTELE:**
The number, age and gender of students who are expected to attend the institution. A description of the area(s) from which students will be recruited. State whether any restrictions on entry are proposed and the grounds for these restrictions
12. **ADMISSIONS:**
Statement of policies and procedures for entry to the institution: and to programmes/ courses to be offered at the institution.
13. **INSTRUCTIONAL PROGRAMME:**
A precise description of the kind and range of instruction to be offered at the institution, e.g. certificates, diplomas, or degrees. Details of proposed programmes and courses of study and examinations, if any for which students will be prepared, must be given. Information under this item should reveal whether certificates or diplomas are to be issued for the successful completion of a programme/ course, whether the qualification will be internal or external. If internal, an evaluation vis a vis other similar qualification recognized by the Ministry of Education.
Curriculum syllabuses including duration, objectives, hours of instruction, methods of assessment, teacher/student ratio should be provided.
Note: All of the above should be in keeping with the stated mission/purpose of the institution.
14. **STAFFING:**
Details of qualifications and experience (supported by relevant documentation, including transcripts) for each member of the staff (Teaching, Administrative, or Support Staff) to be employed should be given. Information on status (whether full-time or part-time), nationality, teaching subject (area of concentration) responsibility, workload, etc. should be included.
15. **FINANCE:**