

CHAPTER 41

EDUCATION

ARRANGEMENT OF SECTIONS

SECTION

CITATION

1. Short title.

INTERPRETATION

2. Definitions.

2A. Statement of purpose.

PART I

CENTRAL ADMINISTRATION

3. General functions of the Minister.

4. Particular functions of the Minister.

4A. Zoning.

5. Functions of Chief Education Officer.

6. National Advisory Commission on Education.

7. Special committees.

8. Expenses.

PART II

THE SYSTEM OF PUBLIC EDUCATION

DIVISION 1

Stages of Public Education

9. Interpretation.

10. Stages of public education.

DIVISION 2

Management of Primary, Composite and Senior Schools

11. Application.

12. Management of primary, composite and senior schools.

13. School committees.

14. Additional powers of Minister as regards management of schools.

DIVISION 3

Management of Public Secondary Schools

SECTION

15. Interpretation.
16. Management of public secondary schools.
17. General functions of Boards of Management.
18. Funds and resources of Boards of Management.
19. Accounts and audit.
20. Annual report, statement of accounts and estimates.
21. Minutes of Boards of Management receivable in evidence.

DIVISION 4

Property, Assets and Rights

22. Interpretation.
23. Vesting.
24. Transfer of rights and liabilities of Governing Bodies.
25. Preservation of existing endowments, etc.
26. Construction of dispositions in favour of Governing Bodies.

DIVISION 5

Management of Tertiary Institution

27. Application.
28. Management of tertiary institutions.

PART III

PRIVATE SCHOOLS AND PRIVATE EDUCATIONAL INSTITUTIONS

DIVISION 1

GENERAL

29. Application.
30. Register.
- 30A. Establishment of private school, etc.
31. Registration.
32. Application for registration.
33. Requirements for registration.
34. Notice to comply.

SECTION

35. Cancellation of registration.
36. Appeal.
37. Re-registration of school.

DIVISION 2

Assisted Private Schools

38. Aid to private schools.
39. Audit and annual report.
40. Requirements.

PART IV

ATTENDANCE OF PUPILS AT SCHOOLS

41. Duty of parents to secure education of their children.
- 41A. Entrance examination and compulsory school age.
42. Exemptions from compulsory school attendance.
43. School attendance officers.

PART V

INSPECTION OF EDUCATIONAL INSTITUTIONS

44. Inspection of educational institutions.
45. Educational institutions to be open for inspections and visits.

PART VI

SCHOLARSHIPS, EXHIBITIONS AND LOANS FOR
TERTIARY EDUCATION

DIVISION 1

Scholarships and Exhibitions

46. Provision of bursaries, grants, scholarships, etc.
47. Conditions of the award and tenure of bursaries, grants and scholarships, etc.

DIVISION 2

Tertiary Education Loan Fund

48. Establishment of Loan Funds.
49. Management of Loan Fund.
50. Power to make Loans.
51. Audit of Funds.

PART VII
MISCELLANEOUS

SECTION

- 52. Free public education.
- 53. Special education.
- 54. Conscience clause.
- 55. Parent-teacher Associations.
- 56. Temporary or permanent closing of schools.
- 57. Variation of trust, etc. in relation to endowed schools.
- 58. Wishes of parents to be considered in education of pupils.
- 59. Regulations.
- 60. Contravention of section 31.
- 61. Failing to attend school.
- 62. Offences against school attendance officer.
- 63. Offences relating to inspection.
- 64. Disturbance of schools.
- 64A. Search of pupils.
- 64B. Damage to school property.
- 64C. Counselling and rehabilitation.
- 65. Appointment of certain teachers.
- 66. Higher Education Loan Fund.
- 67. Repeal and Savings.
- 68. Removal of doubt.
- 69. Validation.

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

CHAPTER 41

EDUCATION

An Act to repeal the Education Acts, Cap. 41 and Cap. 41A, and to provide for a co-ordinated and effective system of education related to the needs of the people of Barbados, the registration of private schools and private educational institutions, and for related matters.

1983-25.
1983-19.
1984-35.
1990-21.
1995-23.
1996-13.
2001-21.
2002-9.

[1st January, 1983] Commence-
ment.
1983-71.

Citation

1. This Act may be cited as the *Education Act*. Short title.

Interpretation

2. (1) For the purposes of this Act Definitions.

"assisted private educational institution" means any private educational institution that is in receipt of assistance under this Act;

"assisted private school" means any private school that is in receipt of assistance under Part III;

"child" means a person under the age of 17 years; 1995-23.

"Commission" means the National Advisory Commission on Education established by section 6;

"composite school" means a school that provides both primary and secondary education, but does not include a secondary school in a department of which primary education is provided;

"compulsory school age" means from 5 years of age to 16 years of age; 1995-23.

"conscience clause" means section 54;

1983-19. "educational institution" means any school, technical institution, training centre or teachers college, but does not include the University of the West Indies, Codrington College or such other institution as the Minister prescribes under subsection (4);

"endowed educational institution" means any educational institution that is, wholly or in part, maintained by an endowment, but does not include

- (i) an educational institution the endowment of which is applicable and is applied solely for the education of persons being trained to be ministers of any religious denomination; or
- (ii) an educational institution that is maintained, wholly or in part, out of annual voluntary subscription and has no endowment other than the premises of the educational institution;

"parent" in relation to a child includes a guardian and the person who has actual custody of the child;

1993-23. "primary pupil" means a pupil who at the beginning of the school year has attained the age of 5 years but who has not attained the age of 12 years, and who has not yet gained admittance to a secondary school;

"primary school" means a school that provides primary education;

"private educational institution" means an educational institution that is provided and maintained by a person other than the Government;

"private school" means a school that is provided and maintained by a person other than the Government;

"proprietor", in relation to a private school or private educational institution, means any person who maintains that school or institution;

"public educational institution" means an educational institution that is wholly or mainly maintained at the public expense;

"public school" means a school that is wholly or mainly maintained at the public expense and to which the public has, subject to this Act, unconditional access;

"pupil" means a person of any age for whom education is provided under this Act;

"school" means an institution that provides primary or secondary education;

"school hours" means the period during which attendance is required at school under this Act or the regulations;

"school year" means such period not exceeding 12 months as under section 20(3) may be prescribed as a school year;

"secondary pupil" means a pupil who has gained admittance to a secondary school;

"secondary school" means a school that provides mainly secondary education;

"senior school" means a school that provides remedial and prevocational education for the pupils of secondary school age;

"technical institution" means any school or other institution that provides for studies, training or research in technology, science, commerce or art;

"tertiary institution" means an institution that provides mainly tertiary education;

"training centre" means an institution that provides education and training in any vocation requiring manual skill;

"teachers college" means an institution in which teachers are trained.

(2) Where by this Act or any enactment made under this Act, the Minister or the Chief Education Officer is required, or permitted or is otherwise to perform any function, the Minister or the Chief Education Officer, as the case may be, may in writing authorise a public officer to perform the function.

(3) Nothing in this Act prevents the Minister from making provision for more than one stage of education in the same school or institution.

(4) For the purposes of this Act, the Minister may by order prescribe the institutions that shall not be educational institutions.

ss.2A-4

- 1984-35. (5) The Minister may give general or special directions in writing to any person respecting the Minister's functions under this Act and that person shall carry out the Minister's directions.

Statement of Purpose

- Statement of purpose. 1990-21. 2A. The purpose of this Act is to provide a varied and comprehensive educational system in Barbados characterised by excellence.

PART I

Central Administration

- General functions of the Minister. 1990-21. 3. The functions of the Minister are
- (a) to promote the education of the people of Barbados and to establish and develop institutions for that purpose;
 - (b) to frame an educational policy designed to give effect to the purpose of this Act;
 - (c) to ensure the effective execution of the educational policy of the Government;
 - (d) to establish a co-ordinated educational system organised in accordance with this Act; and
 - (e) to contribute toward the spiritual, moral, mental, physical, social, cultural and economic development of the community by ensuring that efficient education is available to meet the needs of Barbados.
- 1990-21. 4. Without affecting section 3, the Minister may
- (a) establish schools in such places as he thinks fit and determine the classification of those schools and make provision for admission and transfer of pupils to those schools;
 - (b) maintain or assist in maintaining schools, whether established by him or otherwise;
 - (c) establish, maintain or assist in maintaining such teachers colleges or other institutions as he considers necessary for the training of teachers, and take such other action as he considers
- Particular functions of the Minister. 1984-35.

necessary to ensure that the requirements for teachers in public educational institutions are satisfied;

- (d) establish, maintain or assist in maintaining such training centres and technical institutions as he considers necessary for fulfilling the requirements for technical and vocational education and training; 1990-21.
- (e) establish and maintain or assist in establishing and maintaining such institutions or other facilities for tertiary, adult and special education as he considers necessary;
- (f) render, subject to such conditions as may be prescribed, to any pupil or class of pupils such forms of assistance as the Minister considers necessary for enabling the pupil or class of pupils to take full advantage of the educational facilities available;
- (g) provide for the grant of scholarships, exhibitions, bursaries and other financial assistance, including loans for tertiary education; and
- (h) make provision for the examination and testing of pupils and the award of certificates, associate degrees, diplomas and degrees. 1990-21.

4A. (1) The Minister may by order divide Barbados into zones for the purposes of the admission and transfer of pupils to public schools and assisted private schools. Zoning. 1995-23.

(2) Subject to the provisions of the order, every pupil shall attend a public school or assisted private school in the zone in which his residence is located.

(3) The residence of a pupil shall be determined by the residence of his parents or guardian.

5. The Chief Education Officer has

- (a) the functions conferred on him by this Act; and
- (b) such other functions as the Minister assigns.

Functions of
Chief
Education
Officer.

ss.6-8

National
Advisory
Commission
on Educa-
tion.

6. (1) The National Advisory Commission on Education is established by this Act.

First
Schedule.

(2) The *First Schedule* has effect with respect to the Constitution of the Commission and otherwise in relation thereto.

(3) The Commission shall advise the Minister

(a) on such matters connected with education as the Commission thinks fit; and

(b) on such matters connected to the functions of the Minister under this Act as the Minister refers to it.

Special
committees.

7. (1) Notwithstanding section 6, the Minister may establish such special committees as he considers necessary to advise him with respect to the performance of his functions.

(2) A special committee comprises such members as the Minister appoints.

(3) A special committee has such duties as the Minister specifies.

(4) The Minister may refer any matter to a special committee, notwithstanding that the Commission has considered or has power to consider that matter.

Expenses.

8. The expenses of administering this Act are payable out of moneys voted by Parliament for the purpose.

PART II
THE SYSTEM OF PUBLIC EDUCATION
DIVISION I
Stages of Public Education

9. For the purposes of this Act

Interpreta-
tion.
1990-21.

- (a) "adult education" means
- (i) continued education; and
 - (ii) training activities organised on a part-time basis suitable to the requirements of persons over compulsory school age and designed to enhance knowledge, skills, attitudes or cultural awareness, but does not include tertiary education;
- (b) "pre-primary education" means education provided either within a primary school or in an institution specially designed for that purpose and suitable to the needs of children 3 years of age or older but under 5 years of age;
- (c) "primary education" means full-time education suitable to the requirements of primary pupils;
- (d) "secondary education" means full-time education suitable to the requirements of secondary pupils;
- (e) "special education"
- (i) means education suitable to the requirements of persons who are mute, deaf, blind or otherwise physically or psychologically disabled or mentally retarded; and
 - (ii) includes education suitable to the requirements of pupils who are gifted or have exceptional ability;
- (f) "tertiary education" means
- (i) education suitable to the requirements of persons over compulsory school age who are not enrolled for secondary education in any school, or, if enrolled in a secondary school, have completed a course of secondary education; and

- (ii) university education and instruction normally available at institutions for teacher training, vocational training and technical training.

10. (1) Public education is in three stages, that is to say,

- (a) primary education,
 (b) secondary education, and
 (c) tertiary education.

Stages of
public
education.

(2) The Minister may, in addition to the 3 stages of public education mentioned in subsection (1), provide as part of the system of public education

- (a) pre-school education,
 (b) special education,
 (c) adult education, and
 (d) education and training in the Schools established under the *Reformatory and Industrial Schools Act*;
 (e) such education and training cooperation or association with penal institutions and rehabilitation centres as the institutions or centres may require; and
 (f) any other category of education that is necessary.

1990-21.
Cap. 169.

DIVISION 2

Management of Primary, Composite and Senior Schools

1990-21.

11. This division applies to all primary, composite and senior schools maintained out of moneys voted by Parliament.

Applica-
tion.
1990-21.

12. All schools to which this Division applies are under the control and management of the Minister.

Management
of primary,
composite
and senior
schools.

13. (1) For the purposes of this Division, the Minister may appoint school committees to advise on, and assist with, the management of schools to which this Division applies.

School
committees.

(2) A school committee appointed under this section must consist of not less than 3 persons, and in addition to the functions specified in subsection (1) a school committee has such other functions as are prescribed.

THE LAWS OF BARBADOS

Printed by the Government Printing Department, Bay Street, St. Michael,
by the authority of the Government of Barbados

(3) A school committee may be appointed under this section to advise on, and assist with, the management of more than one school.

Additional powers of Minister regarding management of schools.

14. (1) Without affecting section 13, where the Minister considers it expedient, he may, by order in the case of any particular school, provide for a scheme of management for that school.

(2) The Minister may, in a scheme of management mentioned in subsection (1), provide for the management of more than one school.

DIVISION 3¹

Management of Public Secondary Schools

Interpretation.

15. For the purposes of this Division "public secondary school" means a secondary school that is mainly or wholly maintained out of moneys voted by Parliament.

Management of public secondary schools. Second Schedule.

16. (1) For the purposes of this Division, the Minister may by order establish Boards of Management for the management of public secondary schools.

(2) The *Second Schedule* has effect with respect to the constitution and procedure of any Board of Management established by an order under subsection (1) and otherwise in relation thereto.

(3) An order made under subsection (1) may provide for the management by 1 Board of Management of not more than 2 schools.

(4) An order made under subsection (1) is subject to affirmative resolution.

General functions of Boards of Management. Cap. 1.

17. For the purposes of this Act, a Board of Management established pursuant to section 16 is a body corporate to which, subject to this Act, section 21 of the *Interpretation Act* applies and in relation to the school for which it is established, the Board of Management

1990-21.

(a) is responsible for implementing the Minister's policy and for that purpose may give directions of a general nature to the principal;

¹Division 3, ss. 15 to 21, came into operation on 31st May, 1983 by S.I. 1983/71.

- (b) shall receive, disburse and account for the expenditure of moneys voted by Parliament for the operation of the school;
- (c) may, subject to this Act,
- (i) employ persons of such categories, in such numbers and on such terms and conditions as may be prescribed; and
- (ii) dismiss and otherwise exercise disciplinary control over those persons;
- (d) may receive in its corporate name, in trust for the people of Barbados towards the advancement of secondary education any estate or property, real or personal, whether by way of devise, bequest, legacy or in any other manner;
- (e) may make recommendations to the Minister with regard to any matter directly or indirectly affecting any school or the development of secondary education generally;
- (f) may appoint committees consisting wholly or partly of members of the Board;
- (g) may make standing orders for the conduct of its business or the business of any of its committees;
- (h) shall, subject to the directions of the Minister, ensure the effective management of a programme of adult education in accordance with the regulations; 2002-9.
- (i) may perform such other functions in relation to the school as the Minister requires to be performed or as may be prescribed. 2002-9.

18. The funds and resources of Boards of Management are

- (a) moneys voted for the purposes of the Boards by Parliament; and
- (b) moneys or property payable to or vested in the Boards in respect of any matter incidental to their functions.

Funds and
resources of
Boards.

ss.19-20

Accounts
and audits.

19. (1) Every Board of Management shall keep proper accounts of its transactions, and the accounts must be audited annually by an auditor appointed by the Board with the approval of the Minister.

(2) The Auditor-General is entitled, at the request of the Minister or on the initiative of the Auditor-General, to carry out at any time an investigation into, or a special audit of, the accounts of any Board of Management.

(3) The members and employees of a Board of Management

(a) shall grant to

(i) the Auditor-General;

(ii) the auditor appointed under subsection (1); or

(iii) any authorised member of the staff of the persons referred to in sub-paragraphs (i) and (ii),

access to all books, documents, moneys and property of the Board; and

(b) shall give to the person referred to in paragraph (a) such information as might be within the knowledge of the members and employees of the Board in relation to the operations of the Board.

Annual
report,
statement of
accounts
and
estimates.

20. (1) Every Board of Management shall submit to the Minister

(a) within 6 months after the end of each school year, or within such further time as the Minister allows, a report on the activities of the Board during that school year;

1984-35.

(b) not later than the 30th September in each year, or such later date as the Minister approves, a statement of its accounts, audited in accordance with section 19, for the financial year ending in that year;

- (c) on or before the 31st August in each year, its estimates of revenue and expenditure for the several schools under the control of the Board in respect of the next financial year,

for the approval of the Minister.

- (2) Copies

- (a) of the report mentioned in paragraph (a) of subsection (1); and

- (b) of the statement of accounts mentioned in paragraph (b) of that subsection, with a report on that statement,

are to be laid in the Senate and House of Assembly.

(3) The Minister may prescribe the school year.

21. Minutes made of meetings of any Board of Management are, if duly signed by the chairman or deputy chairman, receivable in evidence in all legal proceedings without further proof; and every meeting of a Board in respect of which minutes have been signed shall be deemed to have been duly convened and held, and all members present at the meeting shall be deemed to have been duly qualified to act.

Minutes
of Boards
receivable
in evidence.

DIVISION 4¹

Property, Assets and Rights

22. For the purposes of this Act
"appointed day" means

Interpreta-
tion.
1984—35.

- (a) in the case of the schools set out in the Third Schedule except Lodge School, 1st June, 1983, and
- (b) in the case of the Lodge School, 2nd August, 1983.

23. All lands and property vested in or held by the Governing Body of any school mentioned in the Third Schedule

Vesting.
Third
Schedule.

- (a) are transferred to and vested in the Crown and shall be managed and administered by the Board of Management on behalf of the Crown, and
- (b) are by virtue of this Act and without further assurance, transfer or other formality, with effect from the appointed day, to be held by the Crown for the same estate and interest and to the same extent and in the same manner as the lands and property were vested in, or held by, the Governing Body immediately before the appointed day.

1984—35.

24. (1) All rights, powers, privileges and authorities that, immediately before the appointed day, were vested in or exercisable by the Governing Body of a school mentioned in the Third Schedule are, with effect from that day, vested in, and exercisable by, the Crown.

Transfer of
rights and
liabilities
of Govern-
ing Bodies.

¹Division 4, ss. 22 to 26 came into operation on 31st May, 1983 by S.I. 1983/71.

Cap. 41.
1890—12

(2) All liabilities incurred by or on behalf of a Governing Body in respect of its functions under the *Education Act* and subsisting immediately before the appointed day have, from that day, effect as if they had been incurred by or on behalf of the Crown.

(3) Without affecting subsections (1) and (2)

(a) all moneys standing immediately before the appointed day to the credit of any Governing Body are, from that day, transferred to and vested in the Crown, and

(b) any contract made by or on behalf of any Governing Body before the appointed day, shall be deemed to have been made by or on behalf of the Crown and shall be construed with such modifications and adaptations as might be necessary to give effect to this section.

(4) All civil proceedings commenced before the appointed day in any court in Barbados by or against any Governing Body may be continued by or against the Board of Management, and process in those proceedings may be amended accordingly.

Preservation
of existing
endowments,
etc.

25. (1) Nothing in this Division affects the validity or operation of any endowment or trust that, immediately before the appointed day, existed in favour of a Governing Body.

(2) An endowment or trust referred to in subsection (1) has, from the appointed day, effect as an endowment or trust in favour of, or to be administered by, the Crown for the same purposes and for the benefit of the same school as before that day.

Construction
of dispositions
in favour
of Govern-
ing Bodies

26. Any gift or other disposition by deed, will or other instrument in favour of a Governing Body taking effect on or after the appointed day is to be construed as, and is to take effect as, a gift or disposition in favour of the Crown.

DIVISION 5

Management of Tertiary Institution

Applica-
tion.

27. This Division applies to all tertiary institutions that are maintained wholly or mainly out of moneys voted by Parliament.

28. (1) The Minister may by order provide for the management of any tertiary institution to which this Division applies. Management of tertiary institutions.

(2) The Minister may provide in any order made under subsection (1) for the establishment of a Board of Management of any tertiary institution, and may specify in the order the number of members of the Board of Management and its functions.

(3) Section 21 of the *Interpretation Act* applies to a Board of Management established by an order under subsection (1). Cap. 1.

(4) An order made under subsection (1) is subject to affirmative resolution.

(5) Without affecting subsections (1) to (4), the Minister may appoint such number of advisory boards as he thinks fit to advise on, and assist with, the management of the tertiary institutions to which this Division applies.

(6) An advisory board may be appointed under subsection (5) to advise on, and assist with, the management of more than one tertiary institution.

(7) Every advisory board appointed under subsection (5) consists of a chairman and such other members as the Minister determines.

PART III

PRIVATE SCHOOLS AND PRIVATE EDUCATIONAL INSTITUTIONS

DIVISION 1

General

29. This Part applies to private schools and private educational institutions. Application. 1960-21.

30. (1) For the purposes of this Part, the Minister shall keep a register, to be known as the Register of Private Schools and Private Educational Institutions, in this Part referred to as "the Register", in which must be entered the names of schools and institutions registered under this Part and such particulars in relation to those schools and institutions as may be prescribed. Register.

(2) The Chief Education Officer shall, annually, certify a copy of the Register, and the copy so certified must be published annually in the *Official Gazette* on such date as the Minister determines.

(3) The Chief Education Officer shall certify any amendment to the Register and the amendment must be published in the *Official Gazette*.

(4) Where the Minister is satisfied that there is any error in the Register or any omission from the Register, he shall rectify the error or omission.

Establishment of private school, etc. 1990-21.

30A. (1) No person may establish a private school or educational institution in Barbados after the 13th August, 1990 without the prior approval of the Minister.

(2) For the avoidance of doubt it is hereby declared that subsection (1) does not apply to private schools and private education institutions first registered before 13th August, 1990.

Registration.

31. Subject to this Act, no person may keep, in Barbados, a private school or private educational institution to which this Part applies unless the school is registered in accordance with this Part.

Applications for registration.

32. (1) An application under this Part for registration of a private school or private educational institution,

- (a) must be made by or on behalf of the proprietor of the school or educational institution,
- (b) must be made in the prescribed form, and
- (c) must contain such particulars and be accompanied by such documents as the Minister prescribes.

(2) The Minister may, on receipt of an application under this section, request the applicant to furnish such additional information and particulars as the Minister considers relevant to the application, and the applicant must comply with the request.

Requirements for registration.

33. (1) Where a school or institution in respect of which an application is made under section 32(1) has been inspected, the Minister shall register the school or institution, as the case may be, if he is satisfied that

- (a) the premises are suitable for use as a school or institution,
- (b) the accommodation provided at the premises is adequate and suitable, having regard to the number, ages and sex of the pupils attending the school or institution,
- (c) efficient and suitable instruction is being or will be provided at the school or institution having regard to the ages and sex of the pupils attending the school or institution,
- (d) the proprietor and principal of the school or institution are fit and proper persons to be the proprietor and principal of a private school or private educational institution, and
- (e) the school or institution meets any other prescribed requirements.

(2) Where the Minister registers a school or institution under subsection (1), he shall, in writing, notify the applicant that the school or institution, as the case may be, is registered.

(3) Registration of a private school or private educational institution under subsection (1) is subject to any condition the Minister specifies.

(4) The Minister may not register a private school or private educational institution that does not satisfy the requirements of subsection (1).

(5) Where the Minister refuses to register a private school or private educational institution, he shall, in writing,

- (a) notify the applicant of the refusal and of the reasons therefor, and
- (b) inform the applicant that he has a right of appeal under section 36.

34. Where the Minister is satisfied that a private school or private educational institution registered under this Part has ceased to be conducted in accordance with this Act or the regulations, he may serve on the proprietor of the school or institution a notice of that fact, requiring him, within the time specified in the notice, to conduct the school or institution, as the case may be, in accordance with this Act or the regulations, as the case may be.

Notice to comply.

THE LAWS OF BARBADOS

Printed by the Government Printing Department, Bay Street, St. Michael,
by the authority of the Government of Barbados

Cancellation
of registra-
tion.

35. Where the proprietor served with a notice under section 34 fails, within the time specified in the notice or within such further time as the Minister allows, to comply with the notice, the Minister

- (a) shall cancel the registration of the school or institution, and
- (b) shall, in writing,
 - (i) notify the proprietor that the registration has been cancelled and of the reasons why, and
 - (ii) inform the proprietor that he has a right of appeal under section 36.

Appeal.

36. (1) The proprietor of a school or institution that the Minister does not register pursuant to section 33(4), or whose registration is cancelled under paragraph (a) of section 35, may, within 30 days of being notified that the Minister will not register the school or institution, or has cancelled its registration, appeal to a Judge in Chambers against the refusal or cancellation, as the case may be,

- (a) in the case of a refusal on any of the following grounds:
 - (i) that the reasons given for the decision do not disclose any failure to meet any of the requirements for registration set out in section 33(1);
 - (ii) that the inspection of the school or institution carried out pursuant to section 33(1) was not adequate for determining whether the school or institution meets the requirements set out in that section;
 - (iii) that there is no evidence available to support the decision; and
- (b) in the case of a cancellation, on any of the following grounds:
 - (i) that no notice was served on the proprietor under section 34;
 - (ii) that the time specified in the notice served under section 34 or the further time allowed to the proprietor under section 35 to comply with the notice is unreasonable;

(iii) that the proprietor has complied with the notice served under section 34; or

(iv) that there is no evidence available to support the cancellation.

(2) Where an appeal is brought under this section against a refusal or cancellation of registration by the Minister, he may not enforce his refusal or cancellation until the appeal is determined or withdrawn.

(3) The determination by a Judge of an appeal under this section is final.

37. (1) Where the registration of a school or institution is cancelled pursuant to section 35, the proprietor of the school may, if he has complied with the notice served on him under section 34, apply to the Minister for the re-registration of the school or institution.

Re-registra-
tion of
school.

(2) Section 32(1) and (2) and section 33 apply, *mutatis mutandis*, to an application under subsection (1).

DIVISION 2

Assisted Private Schools and Private Educational Institutions

38. (1) The Minister may, out of moneys voted by Parliament, grant financial and other assistance to private schools and private educational institutions in accordance with the regulations.

Aid to
private
schools.

(2) A school or institution receiving financial or other assistance under this Act is an assisted private school or an assisted private educational institution, as the case may be.

39. (1) The proprietor of an assisted private school or assisted private educational institution shall submit annually to the Minister a statement of the accounts of the school or institution, certified by an auditor approved by the Minister.

Audit and
annual re-
port.

(2) Within 6 months after the end of each school year, or such further time as the Minister allows, the proprietor of an

assisted private school or assisted private educational institution shall submit to the Minister a report of the activities of the school or institution during the preceding school year.

Require-
ments.

40. (1) The following provisions apply to assisted private schools and assisted private educational institutions:

- (a) the efficiency and management of assisted private schools and assisted private educational institutions must be maintained at a standard that, in the opinion of the Minister, justifies the grant of financial or other assistance;
- (b) every person holding any interest in, or right over, the premises of the school or institution shall, in the prescribed manner, inform the Minister of the nature and extent of the interest or right;
- (c) the proprietor may not discontinue the school or institution unless he or the Board gives to the Minister not less than 3 school terms notice, or such shorter notice as the Minister accepts, of the intention to discontinue the school or institution;
- (d) in the event of the discontinuance of an assisted private school or assisted private educational institution, the proprietor shall, if the Minister requires, repay to the Government such portion of the financial assistance granted by the Minister to the school or institution during the financial year in which the school or institution is discontinued as appears just in all the circumstances of the case.

(2) Where notice of the intention to discontinue an assisted private school or assisted private educational institution is given to the Minister by the proprietor, or where it otherwise comes to the knowledge of the Minister that such a school or institution is likely to be discontinued, the Minister may take such steps as he considers necessary for the continuance of the education of the pupils of the school or institution in the event of its discontinuance.

(3) Any amount required to be repaid pursuant to paragraph (d) of subsection (1) is a debt due to the Crown and is recoverable in civil proceedings in the High Court or in the magistrate's court for District "A".

PART IV

ATTENDANCE OF PUPILS AT SCHOOLS

41. The parent of every child of compulsory school age shall ensure that the child receives full-time education suitable to his age and ability

Duty of parents to secure education of their children.

- (a) by regular attendance at a public or private school; or
- (b) in any other manner satisfactory to the Minister.

41A. (1) A pupil who enters secondary school having written the Barbados Secondary Schools Entrance Examination

Entrance examination and compulsory school age. 1995-23.

- (a) before attaining the age of 12 years may be required to leave school after he has attained the age of 16 years; and
- (b) after attaining the age of 12 years shall not be required to leave school before he has attained the age of 17 years.

(2) A pupil referred to in paragraph (a) of subsection (1) shall complete the school year in the calendar year in which he reaches compulsory school age.

(3) Notwithstanding anything in this Act and for the avoidance of doubt, it is hereby declared that every pupil has the right to receive at least 5 years secondary education.

42. (1) A child of compulsory school age may be exempted from compulsory attendance at school on any of the following grounds

Exemption from compulsory school attendance.

- (a) the child is receiving special education;
- (b) the child is receiving instruction at home in a manner and to a standard satisfactory to the Minister;
- (c) the child is unable to attend school because of sickness, danger of infection, infirmity, sudden or serious illness of a parent, or other sufficient cause;
- (d) religious observance;

-
- (e) the child is suffering from a physical or mental handicap that, in the opinion of a registered medical practitioner, makes the child incapable of being educated by ordinary methods of instruction;
- 1990-21. (f) the grant by the principal of the school of permission for the child to be temporarily absent from school for good and sufficient reason; or
- 1995-23. (g) the child has successfully completed a period of study in secondary education to the satisfaction of the principal of the school.

(2) The parent of any child of compulsory school age who wishes the child to be exempt from compulsory attendance at school may apply for a certificate of exemption from attendance in accordance with subsection (3).

(3) An application under subsection (2) must be made, in the case of

- (a) any of the grounds mentioned in paragraphs (a), (b) and (e), of subsection (1) to the Chief Education Officer; and
- (b) any of the grounds mentioned in paragraphs (c), (d) and (f), of subsection (1) to the principal of the school,
- 1990-21.

1990-21. and the Chief Education Officer, or the principal as the case may be, may grant or refuse the certificate.

(4) A certificate granted under subsection (3) exempts the child to whom it relates from attendance at school to the extent specified in the certificate.

(5) Any parent who is dissatisfied with refusal under subsection (3) may appeal to the Minister, who may confirm or overrule the refusal.

(6) The decision of the Minister on an appeal under subsection (5) is final.

(7) Section 61 does not apply in the case of a child with respect to whom a certificate has been granted under this section.

43. (1) School attendance officers shall ensure that section 41 is complied with.

School
attendance
officers.
1990-21.

(2) For the purposes of subsection (1) a school attendance officer may, after presentation of written authorisation to the person present on any premises, at any reasonable time, whether during school hours or not

- (a) enter the premises and make such inquiries as are necessary to determine whether section 41 is being complied with or whether anyone is in contravention of section 61 in relation to any child of compulsory school age whom he has reasonable cause to believe to be frequenting, visiting, residing or employed on the premises;
- (b) stop any child who appears to be of compulsory school age and is not at school; and
- (c) question a child referred to in paragraph (b) concerning,
 - (i) his age;
 - (ii) his name and address;
 - (iii) the school at which he is registered;
 - (iv) the reason for his absence from school; and
 - (v) any other matter relevant to the inquiries referred to in paragraph (a).

(3) Where a child fails to give satisfactory reasons for his absence from school, the school attendance officer

- (a) may take the child to the child's home or to the school at which the officer believes that the child is, or should be, registered; and
- (b) shall report the absence of the child from school to the Chief Education Officer.

(4) A school attendance officer shall enquire into every case of failure of a child of compulsory school age to attend school that the officer knows of, or when requested to do so by or on behalf of the Chief Education Officer or the Principal of a school.

1990-21.

(5) A school attendance officer shall give to the parent of any child of compulsory school age who is not attending school as required

- (a) written warning of the consequences of the failure of the child to attend school; and
- (b) written notice requiring the parent to send the child to school with effect from the school day immediately following the date of the notice.

PART V

INSPECTION OF EDUCATIONAL INSTITUTIONS

44. (1) The Chief Education Officer, a public officer authorised in writing by the Chief Education Officer, or any other person authorised by the Minister shall, at the times and in the manner prescribed, inspect public educational institutions, registered private schools and registered private educational institutions.

Inspection
of educa-
tional
institutions.

(2) Any person who, pursuant to subsection (1), inspects a public educational institution, registered private school or private educational institution, shall

- (a) give such assistance and guidance to the teachers employed at the institution or school as might promote the good conduct and efficiency of the institution or school;
- (b) advise the principal of the institution or school on matters relating to its welfare and development; and

ss.45-47

- (c) give to the Minister, the Board of Management or, in the case of a registered private school or private educational institution, the proprietor, a report on the institution or school.

Educational institutions to be open for inspections and visits. 1990-21.

45. (1) The principal of a public educational institution and the proprietor or principal of a registered private school or private educational institution shall keep the institution or school open at all times during school hours to visits and inspections

- (a) by the Minister;
- (b) by the Chief Education Officer; or
- (c) by any other person authorised by the Minister or the Chief Education Officer to visit or inspect the institution or school.

(2) Any person who, pursuant to section 44(1), inspects an institution or school referred to in that subsection may examine the pupils in the subjects of instruction taught at the institution or school.

PART VI

SCHOLARSHIPS, EXHIBITIONS AND LOANS
FOR TERTIARY EDUCATION

DIVISION I

Scholarships and Exhibitions

Provision of bursaries, grants, scholarships, etc. 1990-21. 2001-21. 2002-9.

46. For the purpose of encouraging and promoting the growth and development of higher education among the people of Barbados, all sums of money authorised or required to be paid under this Act for the provision of bursaries, grants, awards, scholarships and exhibitions are charged on the Consolidated Fund.

Conditions of the award and tenure of bursaries, grants and scholarships, etc. 1990-21. 2001-21. 2002-9.

47. (1) Subject to this section, section 59 applies to the provision of bursaries, grants, awards, scholarships and exhibitions under this Act.

(2) The following persons are entitled to the bursaries, grants, awards, scholarships and exhibitions referred to under subsection (1):

- (a) a citizen of Barbados;

- (b) a child of a citizen of Barbados; or
- (c) a child of a person who is ordinarily resident in Barbados and has been so resident for a period of at least 7 years.

DIVISION 2

Tertiary Education Loan Fund

48. For the purposes of this Part, the Minister may establish such number of Loan Funds as he considers necessary to provide financial assistance to persons wishing to pursue studies in tertiary education.

Establishment of Loan Funds

49. (1) A Loan Fund established pursuant to section 48 shall be administered in such manner as the Minister prescribes.

Management of Loan Fund.

(2) The resources of a Loan Fund established pursuant to section 48 are

- (a) moneys provided by Parliament for the purposes of the Fund;
- (b) moneys set aside or provided for the Fund out of the proceeds of any loan raised by the Government for the purposes of the Fund;
- (c) moneys that represent the repayment of loans and the payment of interest thereon by persons to whom loans are made out of the Fund;
- (d) any other moneys that are properly payable into the Fund.

50. Loans may be made from any Fund established pursuant to section 48

Power to make loans.

- (a) to such persons;
 - (b) for such purposes; and
 - (c) subject to such terms and conditions,
- as the Minister prescribes.

Audit of
Funds.

51. (1) An account of the financial transactions of each Fund established pursuant to section 48 shall be prepared by the person responsible for the management of the Fund in respect of the period ending on the 31st day of March in each year.

(2) The person referred to in subsection (1) shall submit the account referred to in that subsection not later than the 30th day of June in each year to the Auditor-General to be audited.

(3) An account audited pursuant to subsection (2) shall, with the Auditor-General's report thereon, be laid before both Houses of Parliament.

PART VII

MISCELLANEOUS

Free public
education.

52. (1) Education is free in public educational institutions.

(2) Notwithstanding subsection (1), fees and other charges may be payable

(a) in such amounts;

(b) for such purposes; and

(c) by such persons or classes of persons,

as the Minister may prescribe.

Special
education.

53. (1) The Minister may, for the purposes of ascertaining which children of compulsory school age require special educational treatment, carry out such investigations as he considers necessary, and after the investigations the Minister may provide for the education of any child requiring special educational treatment.

(2) The Minister may, where practicable, provide special schools appropriate for the education of children requiring special educational treatment; but where it is not practicable to do so the Minister may provide facilities for special education at any school. 1990-21.

(3) For the purposes of this section, the Chief Education Officer may serve on the parent of any child of compulsory school age a notice requiring the parent to submit the child, on or before the time specified in the notice, for examination by a registered medical practitioner to ascertain whether the child is suffering from any disability of mind or body, and the nature and extent of the disability.

(4) Any parent who fails to comply with a notice served under subsection (3) is guilty of an offence and is liable on summary conviction to a fine of \$25, and in the case of a continuing offence, to a fine of \$10 for each day or part thereof during which the offence continues after the first conviction.

(5) The Minister may provide such transport and other facilities as he considers necessary to enable children receiving special educational treatment to attend school.

54. (1) It is not a condition of admission or attendance of any pupil in a public educational institution Conscience clause.

(a) that he must attend or abstain from attending any place of religious instruction or worship,

(b) that he must, if his parent objects, attend any religious observances or any instruction in religious subjects at an institution or elsewhere, or

(c) that he must attend an institution on any day specially set apart for religious worship by the religious body to which he belongs.

(2) Where the parent of any pupil attending a public educational institution requests that the pupil be excused from attendance at any religious observance or any instruction in religious subjects at the institution or elsewhere, then, until the request is withdrawn, the pupil is excused from attendance.

55. (1) Parents and teachers may, in accordance with regulations, form associations, to be known as "parent-teacher associations" Parent-teacher associations.

(2) The Minister may encourage and assist the formation of parent-teacher associations.

(3) The objects of parent-teacher associations must include the promotion of the interests of the school by bringing parents, members of the community, pupils and teachers into close co-operation.

(4) Parent-teacher associations may, subject to this Act and the regulations, make rules for the regulation and control of their business.

THE LAWS OF BARBADOS

Printed by the Government Printing Department, Bay Street, St. Michael,
by the authority of the Government of Barbados

(4) Any parent who fails to comply with a notice served under subsection (3) is guilty of an offence and is liable on summary conviction to a fine of \$25, and in the case of a continuing offence, to a fine of \$10 for each day or part thereof during which the offence continues after the first conviction.

(5) The Minister may provide such transport and other facilities as he considers necessary to enable children receiving special educational treatment to attend school.

54. (1) It is not a condition of admission or attendance of any pupil in a public educational institution

Conscience
classes.

- (a) that he must attend or abstain from attending any place of religious instruction or worship,
- (b) that he must, if his parent objects, attend any religious observances or any instruction in religious subjects at an institution or elsewhere, or
- (c) that he must attend an institution on any day specially set apart for religious worship by the religious body to which he belongs.

(2) Where the parent of any pupil attending a public educational institution requests that the pupil be excused from attendance at any religious observance or any instruction in religious subjects at the institution or elsewhere, then, until the request is withdrawn, the pupil is excused from attendance.

55. (1) Parents and teachers may, in accordance with regulations, form associations, to be known as "parent-teacher associations".

Parent-
teacher
associations.

(2) The Minister may encourage and assist the formation of parent-teacher associations.

(3) The objects of parent-teacher associations must include the promotion of the interests of the school by bringing parents, members of the community, pupils and teachers into close co-operation.

(4) Parent-teacher associations may, subject to this Act and the regulations, make rules for the regulation and control of their business.

Temporary
or per-
manent
closing of
schools.

56. (1) Where

- (a) as a result of the total or partial destruction by hurricane, earthquake, fire or flood of all or any of the buildings used in connection with any public educational institution,
- (b) as a result of the outbreak of any infectious or contagious disease, or
- (c) for any other reason,

attendance at any public educational institution has fallen to such an extent that, in the opinion of the Minister justifies the temporary or permanent closing of the institution, the Minister may, notwithstanding anything contained in this or any other enactment, direct that the institution be temporarily or permanently closed, as the case may be, and the institution shall, with effect from the date of the direction, be closed.

(2) The powers conferred by this section are in addition to, and not in substitution for, any powers in any other enactment.

(3) Without affecting subsection (1), the Minister may delegate to the Chief Education Officer the power conferred on the Minister by that subsection to close a school temporarily.

(4) Notwithstanding subsections (1) and (3), the principal of a school may, in an emergency, where it is impractical to obtain the prior approval of the Minister or Chief Education Officer, close a school temporarily and inform the Minister or Chief Education Officer as soon as practicable thereafter.

1990-21.

Variation
of trusts
etc. in re-
lation to
endowed
schools.

57. (1) Where the Minister is satisfied that the trusts subject to which any endowed educational institution is operated are not conducive to the advancement of education by the institution, he may apply to the High Court for a variation of the trusts.

(2) The High Court may, where it is satisfied that the trusts referred to in subsection (1) are not conducive to the advancement of education, make such order for the variation of the trusts as it considers appropriate.

(4) Any parent who fails to comply with a notice served under subsection (3) is guilty of an offence and is liable on summary conviction to a fine of \$25, and in the case of a continuing offence, to a fine of \$10 for each day or part thereof during which the offence continues after the first conviction.

(5) The Minister may provide such transport and other facilities as he considers necessary to enable children receiving special educational treatment to attend school.

54. (1) It is not a condition of admission or attendance of any pupil in a public educational institution

Conscience clause.

(a) that he must attend or abstain from attending any place of religious instruction or worship,

(b) that he must, if his parent objects, attend any religious observances or any instruction in religious subjects at an institution or elsewhere, or

(c) that he must attend an institution on any day specially set apart for religious worship by the religious body to which he belongs.

(2) Where the parent of any pupil attending a public educational institution requests that the pupil be excused from attendance at any religious observance or any instruction in religious subjects at the institution or elsewhere, then, until the request is withdrawn, the pupil is excused from attendance.

55. (1) Parents and teachers may, in accordance with regulations, form associations, to be known as "parent-teacher associations".

Parent-teacher associations.

(2) The Minister may encourage and assist the formation of parent-teacher associations.

(3) The objects of parent-teacher associations must include the promotion of the interests of the school by bringing parents, members of the community, pupils and teachers into close co-operation.

(4) Parent-teacher associations may, subject to this Act and the regulations, make rules for the regulation and control of their business.

(3) For the purpose of giving effect to any order made by the High Court pursuant to subsection (2), the Minister may establish a new scheme for the educational institution.

(4) The Minister shall submit a draft of every scheme to the High Court for approval, and if the scheme is approved, the Minister shall make an order incorporating the scheme, and the order must be published in the *Official Gazette*.

58. The Minister shall, in the exercise of his functions under this Act, have regard to the general principle, that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, the wishes of parents are to be considered in the education of pupils.

59. (1) The Minister may make regulations generally for the proper carrying out of the purposes of this Act.

(2) Without limiting subsection (1), the Minister may make regulations:

- (a) respecting the management and conduct of public educational institutions and assisted private schools,
- (b)¹ respecting the functions of the Boards of Management of public educational institutions,
- (c) prescribing, subject to such exemptions as may be specified, the standards to which the premises of educational institutions are to conform,
- (d) respecting the purposes for which the premises of public educational institutions may be used,
- (e) prescribing
 - (i) the classes of educational institutions to which financial or other assistance may be provided out of moneys voted by Parliament,
 - (ii) the criteria to be applied in determining the assistance to be provided to any educational institution out of the moneys mentioned in sub-paragraph (1), and

¹ Paragraph (b) came into operation on 31st May, 1983 by S.I. 1983/71.

1984—35.

- (iii) the conditions subject to which any such assistance is to be made,
- (f) respecting
 - (i) the admission or transfer of pupils to public educational institutions, and
 - (ii) the qualifying examinations for admission,
- (g) respecting the discipline of pupils in public educational institutions, including the suspension or expulsion of pupils therefrom,
- (h) respecting the submission of pupils in public educational institutions to medical or dental inspection or treatment,
- (i) respecting
 - (i) the provision of milk and meals to pupils in public educational institutions specified in the regulations, and
 - (ii) the conditions, including the charges, subject to which milk and meals are to be provided,
- (j) specifying, in respect of public educational institutions, the curriculum of study to be followed and the examinations to be taken by pupils,
- (k) respecting the admission of persons to teacher training colleges and the conditions, including bonds, of admission,
- (l) respecting the award of scholarships, exhibitions, bursaries and other financial assistance, including loans,
- (m) specifying the value and other conditions subject to which scholarships, exhibitions and bursaries may be held or other financial assistance given,
- (n) respecting
 - (i) the admission of candidates for scholarships and exhibitions, and
 - (ii) the manner in which and the times at which examinations for scholarships and exhibitions are to be held,
- (o) respecting the particulars to be furnished to the Minister under Part III by the proprietors of private schools and private educational institutions.

- (p) respecting the registration of private schools and private educational institutions;
- (q) prescribing the academic years, terms and vacations of public educational institutions, assisted private schools and assisted private educational institutions;
- (r) requiring the keeping by public educational institutions, assisted private schools and assisted private educational institutions of a school record of each pupil;
- (s) prescribing the particulars to be included in the record referred to in paragraph (r) and the disposal of the record;
- (t) defining the categories of pupils requiring special educational treatment appropriate to the pupils of each category;
- (u) prescribing the cases in which and the matters for which fees may be charged in public educational institutions;
- (v) respecting the inspection of schools;
- (w) respecting any other matter incidental to or connected with paragraphs (a) to (v);
- (x) respecting the operation of a Test-book Loan Scheme and the conditions relating to the loan of books under the scheme;
- (y) requiring the evaluation of teachers in the discharge of their duties and the manner in which the evaluation is to be conducted;
- (z) prescribing anything that is authorised or required by this Act to be prescribed.

(3) Any regulations made under this section respecting paragraphs (a), (c), (d), (e), (f), (i), (l), (m), (n), (o), (p), (u), (v), and (y) of subsection (2) are subject to affirmative resolution.

(4) The regulations not mentioned in subsection (3) are subject to negative resolution.

(2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine of \$500 or imprisonment for 3 months, and, in the case of a continuing offence is liable to a further fine of \$25 for each day during which the offence continues after the first conviction.

Failing to attend school.

61. (1) Where a child of compulsory school age
- (a) being a registered pupil at a school, fails to attend regularly at the school, or
 - (b) not being a registered pupil at a school, does not, in a manner satisfactory to the Minister, receive full time education suitable to his age and ability,

the parent of a child is guilty of an offence and is liable on summary conviction to a fine of \$50.

Offences against school attendance officer. 1990-21.

62. (1) A person is guilty of an offence who
- (a) assaults, obstructs, or uses insulting, abusive or indecent language to
 - (i) a school attendance officer in the execution of his duties, or
 - (ii) any other person executing any duty, imposed on him by this Act, in relation to the attendance at school of any child;
 - (b) being a parent, fails, without reasonable cause, having been requested by a school attendance officer, to give the officer any information the person has concerning
 - (i) the name, age, residence, parent, employment or attendance at school of any child; or
 - (ii) any other matter relevant to the attendance at school of any child; or
 - (c) gives to any school attendance officer, knowing it to be false or misleading, any information concerning any matter mentioned in paragraph (b).

(2) Subsection (1) applies, notwithstanding that the child in relation to whom the offence is committed is not of compulsory school age.

(3) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine of \$500, or imprisonment for 3 months, or both.

63. (1) A person is guilty of an offence who

- (a) prevents a person empowered or authorised under this Part to visit or inspect educational institutions or private schools from visiting such an institution or school; or
- (b) assaults or obstructs, during a visit or inspection of an educational institution or private school, a person empowered or authorised, under this Part, to visit or inspect educational institutions or private schools.

Offences
relating to
inspection.

(2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine of \$250, and in the case of a second or subsequent conviction to a fine of \$500 or imprisonment for 6 months, or both.

✓ 64. (1) A person is guilty of an offence who

- (a) causes a disturbance in an educational institution;
- (b) insults or abuses a teacher or other person engaged in the instruction of pupils in the presence or hearing of the pupils;
- (c) uses threatening, abusive or insulting words in an educational institution; and
- (d) assaults a teacher or assaults, insults or abuses a pupil.

Disturbance
of schools.

1990:11.

(2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine of \$500, or imprisonment for 6 months, or both.

1990:11.

(3) For the purposes of this section, educational institution includes

- (a) a registered private school or registered private educational institution;
- (b) the school established by the *Reformatory and Industrial Schools Act*; and
- (c) the playgrounds and premises of the school or institution.

1990:11.
Cap. 159.

(4) A prosecution for an offence under this section in relation to a public educational institution may be brought in the name of the Chief Education Officer.

Search of
pupils:
1996-13.

64A. (1) For the purposes of this section

"adult" does not include a pupil who has attained the age of 18 years.

(2) This section applies to all schools.

(3) Where a teacher of a school has reasonable grounds for believing that a pupil has in his possession any intoxicating liquor, controlled drug within the meaning of section 3 of the *Drug Abuse (Prevention and Control) Act*, gun within the meaning of the *Firearms Act*, offensive weapon within the meaning of the *Control of Offensive Weapons Act*, or any article that has been reported stolen the teacher may search the pupil's person and the pupil's property.

Cap. 131.

Cap. 179.

Cap. 124A.

(4) Where upon a search carried out pursuant to subsection (1), the teacher finds any intoxicating liquor, controlled drug, gun, offensive weapon or any article that has been reported stolen on the person or in the possession of a pupil, the principal shall report forthwith the finding to

- (a) the parent of the child;
- (b) the police;
- (c) the Chief Education Officer; and
- (d) the Board or Committee, as the case may be.

(5) The search of

- (a) a pupil's person shall be conducted in the presence of an adult, other than the adult conducting the search; and
- (b) a pupil's property shall be conducted in the presence of the pupil and another adult, other than the adult conducting the search.

(6) A female pupil may only be searched by a female in the presence of another female.

(7) A male pupil may be searched by an adult of either sex in the presence of another adult of either sex.

(8) A search under this section shall be carried out in a private place whether on the school premises or elsewhere during school related activities, and no pupil, other than the pupil searched, shall be present during a search.

(9) The teacher who carries out a search under the authority of this section may exercise the same powers, and has the same privileges and immunities as are conferred on a constable by law.

(10) Where a search is carried out by a teacher other than the principal, that teacher shall forthwith forward a report in writing to the principal stating the facts and circumstances relating to the search.

(11) Whenever a search is carried out pursuant to this section by a teacher other than the principal, the principal shall, forthwith after the search, institute an inquiry into the circumstances relating to the search.

(12) Any pupil who

(a) assaults, obstructs or uses insulting, abusive or indecent language to a teacher carrying out or attempting to carry out a search under this section; or

(b) is found in possession of any intoxicating liquor, controlled drug, gun, offensive weapon or any article that has been reported stolen

is guilty of an offence and liable on summary conviction, if he is under the age of 16 years, to a fine of \$1 000 or if the pupil is 16 years of age or older to such fine or to imprisonment for 6 months or both.

(13) Any person, other than a pupil, who assaults, obstructs or uses insulting, abusive or indecent language to a principal, deputy principal or teacher carrying out a search under this section or any adult assisting such principal, deputy principal or teacher is guilty of an offence and liable on summary conviction to a fine of \$2 500 or imprisonment for one year or both.

ss.64B-66

Damage to
school
property.

64B. (1) A pupil who wilfully damages or destroys school property or the property of any person lawfully on the school premises is guilty of an offence and liable on summary conviction to fine of \$500, if he is under the age of 16 years, or, if he is 16 years of age or older, to such fine or to imprisonment for 3 months or both.

Cap. 116.

(2) The Court before which a pupil referred to in subsection (1) is tried may, in accordance with section 120 of the *Magistrates Jurisdiction and Procedure Act*, order the parent of that pupil to pay compensation for the destruction or damage caused.

Cap. 138.

(3) Section 12 of the *Juvenile Offenders Act* applies, *mutatis mutandis*, to subsection (1); and references in that section to a child or young person shall be construed as references to a pupil notwithstanding that a pupil is over the age of 16 years.

Cap. 138.

(4) Without affecting subsection (2), nothing in this section or section 64A shall affect the application of the *Juvenile Offenders Act* to a pupil who is under the age of 16 years.

Counsel-
ling and
rehabilita-
tion.

64C. A pupil who is convicted under section 64A or 64B shall, in addition to any penalty imposed on him or his parent, be ordered to undergo counselling and rehabilitation for such period not exceeding one year as the magistrate considers appropriate.

Appoint-
ment of
certain
teachers.
1984-35.

65¹. (1) Where teachers who, immediately before 1st January, 1983 were employed by Governing Bodies, become public officers they shall continue to be employed on terms and conditions that are as favourable as or no less favourable than those on which they were employed before 31st May, 1983.

(2) Teachers referred to in subsection (1) may not, without their consent in writing, be transferred from the school to which they were appointed before 1st January, 1983; but may at their request be transferred to another school.

Higher
Education
Loan Fund
Cap. 43.

66. (1) Subject to subsection (2), the Higher Education Loan Fund established by the *Higher Education (Loan Fund) Act* shall, for the

¹ Section 65 came into operation on 31st May, 1983 by 1983/71.

purposes of this Part, be deemed to be a Fund established by the Minister pursuant to section 48.

(2) Notwithstanding the repeal by this Act of the *Higher Education (Loan Fund) Act*, the Higher Education Loan Fund continues to be administered in accordance with that Act.

67¹. (1) Subject to this section, the *Education Acts* and the *Higher Education (Loan Fund) Act* are repealed.

Repeal and
savings.
Cap. 41.
Cap. 41A.
Cap. 43.

(2) The repeal of the enactments specified in subsection (1) does not affect the duration, value or other terms of any scholarship, exhibition or bursary, awarded thereunder that has not expired or been terminated before 1st January, 1983.

(3) Without limiting section 30(3) of the *Interpretation Act*, all statutory instruments made under the enactments specified in subsection (1) continue in force, as far as they are in force at 1st January, 1983, and are not inconsistent therewith, and may be amended or revoked as if made under the corresponding provisions of this Act.

Cap. 1.

(4) Without limiting the *Interpretation Act*, sections 21, 51(2) to (5), 55 and 56 of the *Education Act* and every scheme made under that Act and in force immediately before 1st January, 1983 continue in force until a new scheme or other provision is substituted for the scheme made under that Act.

Cap. 1.
Cap. 41.

68. For the avoidance of doubt it is hereby declared that the provisions of any enactment made under this Act respecting the establishment of Boards of Management, management or control of secondary schools or otherwise relating to those schools have been substituted for the schemes referred to in section 67(4) with effect from the commencement of the enactment.

Removal
of doubt.

1984-85.

69. All things that are required to be effected, deemed or empowered to be done by virtue of sections 23 to 26 shall be deemed to have been lawfully and validly effected or done, as the case may be, as from the dates specified in section 22; and

Validation.

¹ Section 67 came into operation on 31st May, 1983 by 1983/71.

any action taken or thing done in pursuance of those sections with respect to any land, property, right, power, privilege, liability, asset, contract, civil proceeding, authority, endowment, and any trust, gift or other disposition mentioned in those sections shall be deemed to have been lawfully and validly taken and done.

FIRST SCHEDULE

s.6(2).

CONSTITUTION AND PROCEDURE OF THE
NATIONAL ADVISORY COMMISSION
ON EDUCATION

1. (1) The Commission comprises a chairman, deputy chairman, and not less than 9, nor more than 15 other members appointed by the Minister. Constitution.

(2) In the appointment of the members of the Commission the Minister must ensure that the interests of organisations of the teaching profession, teachers unions and parent-teacher associations are represented.

2. The appointment of a member of the Commission is, subject to the provisions of this Schedule, for a period not exceeding 3 years, but the member is eligible for re-appointment. Term.

3. The Minister may at any time revoke the appointment of the chairman or any member of the Commission. Revocation.

4. In the absence of a member, or in case of his inability to act, the Minister may appoint any person to act temporarily in the place of that member. Temporary appointments.

5. (1) Any member of the Commission, other than the chairman, may at any time resign his office by instrument in writing addressed to the chairman, who must forthwith forward the instrument to the Minister; and the member ceases to be a member of the Commission upon the date of the receipt by the chairman of the instrument. Resignations.

(2) The chairman may at any time resign his office by instrument in writing addressed to the Minister; and upon the date of the receipt by the Minister of the instrument, the chairman ceases to be a member.

6. Any member of the Commission who fails without reasonable excuse to attend 3 consecutive meetings of the Commission ceases to be a member. Forfeiture of membership.

THE LAWS OF BARBADOS

- Filling of vacancies. 7. A person appointed to fill a vacancy in the membership of the Commission
- (a) must be from the same category of persons as the former member, and
 - (b) holds office only for the unexpired term of the former member.
- Publication of membership. 8. The names of all members of the Commission as first constituted and any change in the membership of the Commission must be published in the *Official Gazette*.
- Meetings. 9. The Commission shall meet at least 3 times in each year
- (a) at such times, and
 - (b) at such places,
- as the Commission considers necessary or expedient for the transaction of the business of the Commission.
- Special meetings. 10. The chairman may at any time call a special meeting of the Commission; and must call a special meeting within 14 days of the receipt of a request for that purpose addressed to him in writing and signed by any 3 members of the Commission.
- Presiding at meetings. 11. The chairman, or in his absence the deputy chairman, must preside at meetings of the Commission and in the absence of both the chairman and the deputy chairman, the members present and constituting a quorum must elect a chairman from among their number to preside at that meeting.
- Quorum. 12. The quorum of the Commission at any meeting is the majority of the total membership of the Commission.
- Minutes. 13. (1) Minutes of each meeting are to be kept by the Secretary.
 (2) The Secretary must be a public officer designated by the Minister.
 (3) A certified copy of the confirmed minutes of each meeting must be forwarded to the Minister within 14 days after the meeting at which they were confirmed.
- Right of Chief Education Officer to attend meetings of Commission. 14. (1) The Chief Education Officer
- (a) may attend any meeting of the Commission or of any committee established by the Commission, or
 - (b) may be represented at any such meeting by a public officer authorised by the Chief Education Officer.
- (2) The Chief Education Officer or his representative may take part in the proceedings of any meeting at which he is present; but is not entitled to vote.

15. Subject to this Schedule, the Commission may regulate its own procedure; and may delegate to any of its members or committees the power and authority to carry out on behalf of the Commission such duties as the Commission determines. General power to regulate procedure and to delegate.
16. The chairman and other members of the Commission are entitled to such remuneration and allowances as the Minister determines. Remuneration and allowances.

SECOND SCHEDULE¹

s. 16(2)

CONSTITUTION, PROCEDURE, AND FUNCTIONS OF
BOARDS OF MANAGEMENT ESTABLISHED
UNDER SECTION 16

1. (1) A Board of Management comprises a chairman, a deputy chairman and not less than 5, nor more than 7, other members appointed by the Minister by instrument in writing. Constitution.
- (2) In the appointment of the members of a Board the Minister must ensure that the following interests are represented:
- (a) interests of the teaching profession,
- (b) other educational interests, and
- (c) such other interests, including religious interests, as he considers appropriate.
- (3) In this Schedule "Board" means a Board of Management established under section 16.
2. A person appointed to fill a vacancy in the membership of the Board Temporary membership.
- (a) must be from the same category of persons as the former member, and
- (b) holds office for the unexpired term of the former member.
3. A person is not qualified for appointment as a member of a Board if he is employed by the Board. Disqualification for membership.
4. (1) No member of a Board may be appointed to any office or employment under that Board. Disqualification of members for certain offices.

¹This Schedule came into operation on 31st May, 1983 by S.I. 1983/71.

(2) No person is, within 1 year from the date on which he last held or acted in the office of member of a Board, eligible for appointment to any office or employment under that Board.

Tenure.

5. (1) Every member of a Board holds office for a term of 3 years, and is eligible for re-appointment.

(2) Any member of a Board who fails without reasonable excuse to attend 3 consecutive meetings of the Board ceases to be a member.

(3) The chairman may at any time resign his office by instrument in writing addressed to the Minister, and upon the date of the receipt by the Minister of the instrument, the chairman ceases to be a member.

(4) A member of a Board, other than the chairman, may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the chairman to the Minister, and upon the date of the receipt by the Minister of the instrument the member ceases to be a member.

Leave of absence.

6. The Minister may grant leave of absence to the chairman or any other member of a Board.

Authentication of seal and documents.

7. (1) The seal of a Board must be authenticated by the signature of the chairman or deputy chairman.

(2) All documents, other than those required by law to be under seal, made by, and all decisions of, a Board may be signified under the hand of the chairman or deputy chairman or any member of the Board authorised to act in that behalf.

Meetings.

8. (1) A Board shall meet at least once in each school term and

(a) at such other times, and

(b) at such places,

as the Board considers necessary or expedient for the transaction of the business of the Board.

(2) The chairman may, at any time, call a meeting of a Board, and must call a meeting within 14 days

(a) of a request for that purpose addressed to him in writing and signed by any 3 members of the Board, or

(b) of a direction to that effect addressed to him in writing and signed by the Minister.

(3) The chairman, or in his absence the deputy chairman, must preside at meetings of the Board.

(4) In the absence of the chairman or deputy chairman, or in the case of the inability to act of the chairman or deputy chairman, the members of the Board present and constituting a quorum must elect 1 of their number to preside at that meeting.

9. The quorum of a Board at any meeting is the majority of the total membership of the Board. Quorum.

10. The decisions of a Board are to be by a majority of the votes; and in any case in which the voting is equal, the chairman, deputy chairman or other member presiding at the meeting has, in addition to an original vote, a second or casting vote. Decisions.

11. (1) Minutes of each meeting must be kept by the Secretary or such person as the Board appoints for the purpose; and must be confirmed by the chairman or deputy chairman at the next meeting of the Board. Minutes.

(2) A copy of the unconfirmed minutes of each meeting must be forwarded to the Minister within 14 days after the meeting to which they relate. 1990-21.

(3) A certified copy of the confirmed minutes of each meeting must be forwarded to the Minister within 14 days after the meeting at which they were confirmed.

12. (1) The Chief Education Officer

(a) may attend any meeting of a Board or of a committee or subcommittee established by the Board, or

(b) may be represented at any such meeting by a public officer authorised by the Chief Education Officer.

(2) The Chief Education Officer or his representative may take part in the proceedings of any meeting at which he is present; but is not entitled to vote.

Chief Education Officer entitled to attend or to be represented at meetings of Boards.

13. (1) A Board may appoint a committee for any of the purposes of the Board; and may delegate any of its functions to such a committee with or without restrictions or conditions.

Appointment of committees.

(2) The number of members of a committee appointed under this section and their term of office must be fixed by the Board.

(3) A committee appointed under this paragraph may include persons who are not members of the Board, but the chairman and at least two thirds of the members of every committee must be members of the Board.

(4) Any committee appointed by a Board under this paragraph may, subject to any restrictions imposed by the Board, appoint sub-committees.

(5) Any sub-committee appointed under sub-paragraph (4) must be constituted in such manner as, subject to any restrictions imposed by the Board, the committee determines.

(6) The chairman and at least two thirds of the members of every sub-committee must be members of the Board.

(7) Subject to any restrictions imposed by the Board, where a committee pursuant to sub-paragraph (4) appoints a sub-committee the committee may delegate to the sub-committee, with or without such restrictions or conditions, any of its functions.

Remuneration and other conditions of service.

14. The chairman, deputy chairman and other members of a Board

(a) are entitled to such remuneration and other allowances, and

(b) hold office on such terms and conditions, other than those specified in this Schedule, as the Minister determines.

Notification of membership.

15. The membership of a Board as first constituted and any changes therein must be published in the *Official Gazette*.

ss. 21 & 65.

THIRD SCHEDULE

Alexandra School
 Alleyne School
 Christ Church Foundation School
 Coleridge and Parry School
 Conbermere School
 Harrison College
 Queen's College
 The St. Michael School
 The Lodge School

Education

Cap. 41.

EDUCATION REGULATIONS, 1982

1982/43.
1983/76.
1984/122.
1992/47,48.
1995/114.

Authority: These regulations were made on 5th January, 1982 by the Minister under section 59 of the *Education Act*.

Commencement: 1st March, 1982.

Citation

1. These Regulations may be cited as the *Education Regulations, 1982*. Short title.

PART I

Functions of Boards of Management

2. (1) A Board of Management, in these regulations referred to as the "Board", is, in respect of any school that it is appointed to administer, responsible to the Minister for
- Board responsible to Minister. 1992/47.
- (a) the general supervision and efficient maintenance of the school;
 - (b) the expenditure of grants to the school;
 - (c) dealing with charges of serious breaches of discipline brought against a pupil of the school;
 - (d) submitting to the Minister such reports, statements and other documents relating to the management of the school, as the Minister requires; and
 - (e) reporting to the Minister any contravention of the Act or of these regulations.
- (2) Any member of the Board may, in pursuance of his duties under paragraph (1), visit a school during normal school hours on giving prior notification to the principal.

regs.3-6

Minister may
require
Board to
carry out
investigation.

3. (1) Where it appears to the Minister that there is any serious defect in the work of any school he may require the Board to carry out such investigation as he thinks fit and report its findings to him.

(2) The Minister may, after consideration of the report referred to in paragraph (1) and after consultation with the Board, give it such directions as he considers necessary to remedy the defect referred to in that paragraph, and the Board shall comply with those directions.

Appointment
etc. of non-
teaching
staff.

4. A Board may, pursuant to section 17(c) employ the following

- (a) a person to be Secretary and Treasurer;
- (b) administrative and clerical staff;
- (c) a gardener, groundsman and messenger; and
- (d) such other persons as are necessary for carrying out the functions of the Board.

Management
of buildings,
etc.
1992/47.

5. Subject to the Act, the Board shall

- (a) supervise the buildings and premises of the school and shall be responsible for their use for community activities and other activities that are not under the control of the school; and
- (b) ensure that the buildings, premises, furniture and equipment are adequately insured against fire, hurricane and all insurable hazards and liabilities.

Records to
be kept in
respect of
pupils and
teachers.
1992/47.

6. Every Board must require the principal to keep, in such form as the Minister approves,

- (a) an admissions register and health record of pupils;
- (b) an attendance register for each form of each school in which daily attendance is to be recorded;
- (c) a daily attendance register for teachers;
- (d) a diary or log book;
- (e) cumulative records of the pupils of each school;

- (f) a copy of the school's timetable;
- (g) a book in which must be recorded breaches of discipline by pupils and any punishment or other action taken in respect of any such breach;
- (h) a copy of the Act and all regulations made under the Act;
- (i) an inventory of equipment, furniture, apparatus, books and other materials; and
- (j) any other records the Minister requires.

7. (1) A principal must record in the admissions register of pupils referred to in regulation 6(a), in respect of each pupil

Contents of
admissions
register.

- (a) his index number, full name, date of birth and the date of his admission to the school;
 - (b) the name and address of his parent or guardian;
 - (c) the name of the last school attended by him and the date of his last attendance at that school; and
 - (d) the date on which he ceased to be a pupil of the school in respect of which the record is kept.
- (2) The principal must record in the log book, significant events in the life of the school.

8. (1) A book, register, record or other document referred to in regulation 6

Inspection of
books, etc.

- (a) must, at all reasonable times, be open to inspection by members of the Board and any other person authorised by the Minister; and
- (b) must, as far as is practicable, be kept locked in a cupboard, cabinet or other place of safety at the school except during any period when such a book, register, record or other document is temporarily withdrawn by the Board or by any person authorised by the Minister.

(2) A person making an inspection under sub-paragraph (a) of paragraph (1) may make an entry in the school's log book or diary of statements of facts in respect of his inspection.

Estimates.

9. (1) A Board shall, in each year at such time and in such form as the Minister determines, submit to him estimates of the income and expenditure of each school under the control of the Board for the ensuing financial year.

(2) Estimates submitted under paragraph (1) must include

(a) the salary and allowances to be paid to each member of the staff including non-teaching members; and

(b) the fees payable in respect of pupils.

(3) The affairs of the school must be conducted in accordance with the estimates referred to in paragraph (1) as approved by Parliament and no sum in excess of that provided may be expended on any item, without the prior approval of the Minister.

Accounts to be audited.

10. (1) The Board shall, not later than 30th September in each year, or such later date as the Minister approves cause its accounts for the preceding financial year to be audited, and prepared for that financial year, in such manner as the Minister approves.

(2) A financial statement must include

(a) an income and expenditure account;

(b) an appropriation account;

(c) a receipts and expenditure account in respect of each trust, special fund and reserve fund;

(d) a profit and loss account and an appropriation account in respect of

(i) any boarding establishment of the school,

(ii) a school canteen, and

(iii) a school garden;

- (e) a receipts and payments account in respect of
 - (i) each school sport, and
 - (ii) each school activity, for which a fee is paid;
- (f) a statement of accounts in respect of any other financial activity; and
- (g) a statement of all payments made, except those on petty cash accounts, including wages paid to staff mentioned in section 17(c) of the Act and such other small payments as the Board determines.

11. The person appointed to carry out the duties of Secretary and Treasurer must

Duties of
Secretary/
Treasurer.

- (a) summon meetings of the Board on the direction of the Chairman;
- (b) attend the meetings of the Board and keep full and accurate minutes of the meetings;
- (c) prepare the annual estimates;
- (d) receive and account for all moneys of the school including petty cash and games fees;
- (e) prepare a statement of revenue and expenditure for each school term;
- (f) prepare pay sheets and pay the staff;
- (g) deal with the Board's correspondence;
- (h) order and receive supplies for the school with the approval of the principal;
- (i) open accounts in the name of the Board at such Banks or other places as the Board approves;
- (j) prepare and forward, to such person or auditors as the Board determines, all necessary statements and reports; and

(k) perform such other duties as the Board considers necessary.

Buildings.

12. Every Board shall supervise the use of the school buildings and facilities.

Rules.

13. (1) A Board may, after consultation with the principal and the Chief Education Officer, make rules respecting

(a) the general subjects of instruction;

(b) text books;

(c) the relation, prominence and value to be assigned to each subject, including technical and vocational subjects;

(d) the making of reports by the principal;

(e) the custody of title deeds and other documents;

(f) the deposit and withdrawal of money; and

(g) other matters incidental to sub-paragraphs (a) to (f).

(2) Rules made under paragraph (1) are subject to the approval of the Minister.

(3) A Board must give full consideration to and decide upon any views or proposals put to it by a principal.

PART II

Functions of Advisory Board

Functions of
Advisory
Board.

14. (1) Every Advisory Board shall advise the Minister on

(a) the conduct, supervision and proper maintenance of any educational institution assigned to the Advisory Board;

(b) the welfare of the staff including their conduct, standards of discipline and working conditions;

(c) the welfare of pupils including their conduct, standards of discipline, safety and other related matters;

- (d) the curricula of every institution in relation to the community in which it is situated;
 - (e) the care and proper maintenance of the grounds and other uses to which they may be put;
 - (f) any matter referred to the Advisory Board.
- (2) For the purposes of paragraph (1) at least one member of an Advisory Board shall visit each education institution to which he has been assigned by the Advisory Board not less than once in every term.

PART III

Duties of Principal

1992/48.

15. Every principal must determine the programme of each pupil after consultation with Programme of pupils.
- (a) the teachers; and
 - (b) the parents or guardian of the pupil where it is expedient to do so.
16. Every principal must examine the pupils in the subjects of instruction and in the manner prescribed in regulation 44(1) and (2). Examinations.
1992/48.
17. Subject to the policy of the Minister and the general directions of the Board, every principal Control of building, etc.
1992/48.
- (a) has control of the building, premises, apparatus, equipment and furniture of the school;
 - (b) must allocate duties to staff; and
 - (c) is responsible for the discipline of the school.
18. Every principal in public schools shall subject to the Act and these regulations Supervision of teachers, etc.
1992/48.
- (a) supervise the teachers of his school;

-
- (b) prepare in consultation with the teachers, a scheme of work, based on the official curriculum, suited to the needs of the pupils;
 - (c) prepare the timetable for the school and organize the school in accordance with the timetable;
 - (d) make the timetable available to pupils, teachers, education officers and any other person acting under the authority of the Minister;
 - (e) provide leadership in the improvement of the educational programme and render guidance and advice to teachers;
 - * (f) allocate duties among the teachers in order to make the best use of the special aptitudes of each teacher;
 - (g) take necessary steps to ensure that pupils make satisfactory progress in all parts of the curriculum;
 - (h) register pupils, classifying them according to their course of study, record their progress through the school and submit periodic reports on the pupils' progress to their parents;
 - (i) ensure that discipline is maintained throughout the school at all times;
 - 1992/4R. (j) administer corporal punishment when necessary and delegate to the deputy principal and senior teachers, where applicable the authority to administer corporal punishment;
 - (k) hold at least one staff meeting every school term and keep a record of the business transacted at the meeting;
 - * (l) exercise reasonable care to ensure the physical safety of pupils during any period of school activity, including any period of recess;
 - (m) ensure that the school premises are clean and well kept;
 - (n) report annually, or at such other times as the Chief Education Officer determines, on the performance of teachers;

- (o) take all necessary steps to ensure co-operation with parents, parent-teacher associations and other related bodies;
- (p) supervise the non-teaching staff of the school;
- (q) ensure that the attendance of pupils at school is duly recorded in the attendance register provided for that purpose;
- (r) make annual reports on the state of the school premises; and
- (s) forward correspondence from staff without delay to the appropriate person.

Duties of Deputy Principal in Secondary Schools

19. A deputy principal in a Secondary School is, in addition to his normal teaching duties, responsible for the following

Duties of
deputy
principal in
Secondary
Schools.

- (a) deputising for the principal in his absence;
- (b) assisting the principal in the administration, and organisation of the school and all its activities;
- (c) advising the principal on academic policy;
- (d) advising the principal on, and otherwise assisting with discipline of pupils;
- (e) preparing the staff duty list;
- (f) assisting the principal in preparing a timetable for alternative supervision of pupils when the timetable is interrupted, for any reason;
- (g) overseeing all internal and external examinations arrangements, including the timetable, preparation of facilities, inspection and storage of internal papers, invigilation, delivery of answer papers to the appropriate persons and follow-up to ensure processing within set deadlines; and
- (h) undertaking such other duties as the principal may assign to the deputy principal.

Duties of Senior Teacher in Primary Schools

Duties of
senior
teacher in
Primary
Schools.

20. A senior teacher in a Primary or Composite School is, in addition to his duties as a teacher responsible for the following

- (a) deputising for the principal in his absence;
- (b) assisting the principal in administering the affairs of the school;
- (c) assisting the principal with discipline of pupils;
- (d) supervising a year group or a Department as necessary;
- (e) giving professional guidance to teachers;
- (f) liaising between the principal and staff as necessary; and
- (g) working in close contact with the principal and assisting with any other organisational and administrative duties the principal may assign.

Duties of Senior Teacher in Secondary Schools

Duties of
senior
teacher in
Secondary
School.

21. A senior teacher in a public secondary school is, in addition to his normal teaching duties responsible for the following

- (a) the general welfare and discipline of pupils of a particular year group, as necessary;
- (b) working in close contact with Heads of Departments to discuss and otherwise deal with problems related to syllabuses and other curriculum matters;
- (c) organising morning assembly for his year group; and
- (d) working in close contact with the principal and assisting with other organisational and administrative duties the principal may assign.

Duties of Head of Department in Secondary Schools

22. A Head of Department in a Secondary School is, in addition to his normal teaching duties, responsible for the following

Duties of
Head of
Department
in Secondary
Schools.
1992/48.

- (a) establishing, monitoring and evaluating departmental aims and designating priorities;
- (b) drawing up of syllabuses and ongoing development of the curriculum in respect of each subject falling within his department;
- (c) advising the principal on the choice of textbooks and other educational material and equipment;
- (d) arranging and conducting departmental meetings for discussion of topics related to the teaching of the subjects in his department;
- (e) advising on the choice and development of methods of teaching the subjects of his department;
- (f) assisting the principal in matters relating to the recruitment and training of staff for his department; and
- (g) advising the principal on matters relating to his department and undertaking such other relevant duties as the principal may require.

Duties of the Teacher

23. A teacher in a public school shall, subject to the Act and these regulations

Duties of the
teacher.

- (a) follow the directions of the principal of the school and carry out the duties assigned or delegated to him by the principal;
- (b) provide the pupils under his care with appropriate instruction and learning experiences during the school day;
- (c) draw up an individual plan of work based on the schemes of work for the school;

- (d) make adequate preparation for each day's work for his several classes and teach such subjects on the school timetable as are assigned to him and make use of the officially approved textbooks;
- (e) give undivided attention to his duties during school hours;
- (f) maintain proper order and discipline among the pupils under his care;
- (g) be on duty for the school day and take part in playground supervision and other school activities;
- (h) assist in promoting the welfare and well being of the pupils and fostering their social and moral development;
- (i) attend staff meetings;
- (j) keep a record of the daily attendance of pupils and enquire into the causes of lateness and report them to the principal; and
- (k) keep an inventory of equipment and supplies entrusted to his care and ensure that the equipment and supplies are properly used.

PART IV

Admission of pupils

Admission
of pupils to
nursery,
primary and
composite
school.

24. (1) A child of the age of 3 years may be admitted
- (a) to a nursery school;
 - (b) to a nursery department of,
 - (i) a public primary school, or
 - (ii) a composite school.
- (2) No child of the age of 5 years may, under normal circumstances be admitted to a nursery school or the nursery department of any school.

(3) Except with the permission of the Minister no child may be admitted to

- (a) an infant school or infant department of any school unless he is 5 years of age or will be 5 years of age during the school year;
- (b) a junior department of any public school unless he is 7 years of age or will be 7 years of age during the school year; or
- (c) a public secondary school unless he satisfies the definition of "secondary pupil" in section 2(1) of the Act. 1995/114.

25. (1) Subject to these regulations, the following may be admitted as pupils of public secondary schools

- (a) a child who is a citizen of Barbados;
- (b) the child of a citizen of Barbados if the child is ordinarily resident in Barbados; 1983/76.
- (c) the child of a public officer or of a person employed by a statutory board;
- (d) the child of a Foreign or Commonwealth Diplomat or Consular Official serving in Barbados;
- (e) the child of a person employed in Barbados by an overseas or regional organisation in which the Government of Barbados participates;
- (f) the child of a person who is a permanent resident in Barbados within the meaning of the *Immigration Act* or who has been ordinarily resident in Barbados for a period of at least 3 years immediately preceding 1st September in the year in which admission is being sought; Cap. 190.
- (g) the child of a person resident in Barbados who is employed by regional or international organisations or institutions that transfer staff from one country to another;



- (h) the child of a person who is normally resident in Barbados and who is employed in an industry that has been granted fiscal incentives in Barbados; and
- (i) a child who, in special circumstances, the Minister permits, and who not later than 1st September in any year is 11 years of age during the school year.

(2) Paragraph (d) of regulation (1) only applies where reciprocal arrangements exist for the children of Barbadian Diplomats and Consular Officials serving abroad.

(2A) The qualifying examination for admission to public secondary schools shall be the Secondary Schools Entrance Examination.

1984/122.
1992/47.

1995/114.

(3) A pupil who

(a) during the school year preceding his attaining the age of 12 years; or

(b) pursuant to paragraph (3A) or (3B) writes the Barbados Secondary Schools Entrance Examination,

and obtains the qualifying mark and grade in the Barbados Secondary Schools Entrance Examination for admission to a public secondary school shall, subject to the availability of space be admitted to the school for which he qualifies.

(3A) A pupil who is, between the ages of 8 years and 9 years on the 1st day of September of a school year shall be permitted to write the Barbados Secondary Schools Entrance Examination

(a) where the principal of the primary school that the pupil attends notifies the Ministry in writing that the pupil

(i) has completed the entire primary school curriculum, and

(ii) is ready to write the Barbados Secondary Schools Entrance Examination; and

(b) where the parent or guardian of the pupil consents in writing to the pupil writing the Barbados Secondary Schools Entrance Examination.

(3B) A pupil shall be permitted to defer writing the Barbados Secondary Schools Entrance Examination in the school year preceding his attaining the age of 12 years, for one school year where the principal of the primary school that the pupil attends

- (a) notifies the Ministry that the pupil is not ready to write the Barbados Secondary Schools Entrance Examination; and
- (b) receives written consent from the parent or guardian of the pupil that the pupil shall be permitted to defer writing the Barbados Secondary Schools Entrance Examination for one school year.

(3C) The method of notification by the principal, the consent by the parent or guardian, and the form for appeal by a parent or guardian, referred to in paragraphs (3A), (3B) and (3E) shall be in the Forms set out in the *Schedule*.

Schedule.

(3D) The principal shall notify the parent or guardian of a pupil as to whether that pupil is ready to write the Barbados Secondary Schools Entrance Examination at the same time that the Ministry is notified.

(3E) Where a principal of a primary school does not recommend that a pupil write the Barbados Secondary Schools Entrance Examination, the parent or guardian of the pupil may appeal in writing against the decision within 14 days of the parent or guardian receiving notification from the principal.

(3F) An appeal brought in accordance with paragraph (3C) shall be made to the Review Committee of the Ministry.

(3G) The Review Committee shall be appointed by the Minister and shall comprise 5 persons one of whom shall be the Chief Education Officer or his nominee.

(3H) The Chief Education Officer, or his nominee shall be chairman of the Review Committee.

(3I) The decision of the Review Committee is final.

(3J) The interest of the child shall be paramount in any review.

(3K) A pupil shall only write the Barbados Secondary Schools Entrance Examination once.

(4) A pupil who, during the academic year preceding his attaining the age of 15 years

(a) satisfies the requirements for the award of the Barbados Secondary Certificate Stage I; and

(b) reaches such standard as the Minister determines,
may be admitted to a public secondary school.

1984/122.

(5) Any child over the age of 12 years whose parents or guardians make an application for the child's admission to a public secondary school or seek a transfer of the child from one such school in Barbados to another may be accepted for such admission or transfer.

1992/47.

Feeder
schools.

26. For the purposes of admission of pupils to public secondary schools, the Minister may designate such primary schools, in these regulations referred to as Feeder Schools, as he thinks fit.

Evidence of
age, etc.

27. No child may be admitted to a public school for the first time unless the principal

(a) verifies the age of the child by reference to

(i) a birth certificate that bears the name of the child, or

(ii) a certificate of baptism, and

(b) is satisfied on the evidence of a medical certificate that the child has been immunised against communicable diseases in accordance with the provisions of the *Health Services (Communicable and Notifiable Diseases) Regulations, 1969*.

1969/179.

Pupil not to
be refused
admission to
school.

28. (1) Subject to these regulations a child who is eligible for admission to a public school as a pupil of that school may not be refused admission to the school except on the ground that accommodation for that pupil in that school is not available.



(2) Any parent who is aggrieved by the refusal of a principal to admit a child to a school may appeal, in writing, to the Minister.

(3) Subject to the directions of the Minister the principal must, in considering applications for admission of children to any infant, primary or composite school, so far as practicable, give preference to those children residing nearest the school.

29. (1) Where any pupil of a public school commits any act that causes injury to a teacher or another pupil in the school or where his conduct is such that his presence in the school is likely to have a detrimental effect on the discipline of other pupils of the school, the principal may suspend the pupil from the school for a period not exceeding 10 school days. Suspension, etc. of pupils.

(2) Where a principal suspends a pupil under paragraph (1) the principal must immediately notify, in writing,

- (a) the Board or Committee; and
- (b) the parent of the child.

(3) Where the Board or Committee is notified under paragraph (2) the Board or Committee may inquire into the matter and may as a result of the findings of the inquiry

- (a) suspend the pupil for a further period not exceeding 10 school days; or 1992/48.
- (b) expel the pupil from that school. 1992/48.

(4) Where a pupil is expelled from a public school the parent of the child may appeal to the Minister against the expulsion.

(5) The Minister, after examining the circumstances surrounding the expulsion, may

- (a) confirm the expulsion; or
- (b) substitute a period of suspension for the expulsion; or
- (c) immediately re-admit the pupil to the school from which he is expelled or to any other school.

(6) A pupil who has been expelled from a public school may not be re-admitted to that school or admitted to any other public school without the approval of the Minister.

PART V

Medical and Dental Treatment

Child unfit
for
admission to
school.

30. When a child reaches the age of compulsory attendance at school but through illness or any physical handicap, other than any handicap mentioned in regulation 42, is unfit to be admitted to a school the parent or guardian of the child shall report the matter to the Chief Education Officer who shall, if satisfied that the parent or guardian is unable to provide the necessary medical or dental treatment, inform the Chief Medical Officer.

Child not
permitted to
attend
school.

31. (1) No pupil shall be permitted to be present in a school during any period in which he is known to be suffering from any communicable or notifiable disease.

(2) Where a pupil of a school is found to be suffering from any communicable or notifiable disease the principal shall report the matter to the Chief Education Officer and the pupil shall not be permitted to return to school until he submits to the principal a certificate signed by a registered medical practitioner to the effect that the pupil is no longer suffering from that or any other communicable or notifiable disease.

(3) Where the Chief Medical Officer or any person authorised by him thinks it necessary he may, with the consent of the parent of a child, after consultation with the Chief Education Officer who shall inform the principal of any school, enter the school and immunize or examine any pupil.

(4) Where a pupil is injured or falls ill while on the premises of any school during school hours or in the course of any official school activity the principal, or where the principal is unavailable, any other teacher, shall obtain medical attention for the pupil and inform the parent as soon as possible.

(5) Where it has been necessary to obtain medical attention under paragraph (4) the principal or any other person in charge of the school shall inform the Chief Education Officer or the Board within 3 days or as soon as practicable after obtaining the medical attention.

(6) Where the principal or a teacher of any school obtains medical attention for a pupil under paragraph (4) that principal or teacher is not liable for any act or omission relating to the obtaining of medical attention done reasonably and in good faith. 1992/48.

PART VI

The School Year

32. (1) The school year for public educational institutions and assisted private schools School year.

(a) commences on 1st September of each year and ends on 31st August of the succeeding year; and

(b) is divided into such number of terms as the Minister determines.

(2) The Minister must specify in writing the time or the periods within which school holidays are to be allowed in each school year and the duration of the school holidays; and different provisions may be specified in respect of different categories of public educational institutions.

(3) The principal of a public educational institution shall not, without permission in writing from the Minister, fail to comply with anything specified in pursuance of paragraph (2) in respect of school holidays for that institution.

33. (1) A school day does not include any part of Saturday, Sunday or a public holiday, and consists of 2 instructional sessions with an interval of not more than 60 minutes between the first and second session. School day.

(2) The first instructional session is 3 hours and the second session 2 hours comprising an aggregate of 5 hours.

- 1992/48. (3) Notwithstanding paragraph (2), the Minister may approve instructional sessions of a shorter duration especially in the case of pupils under the age of 5 years or pupils receiving special education.
- 1992/48. (4) Subject to paragraph (5), a school day commences not later than 8:45 a.m. and the first instructional period commences not later than 9:00 a.m.
- 1992/48. (5) The period between 8:45 a.m. and 9:00 a.m. may be used for the purposes of registering the daily attendance of each pupil and for assembly and corporate worship.
- (6) The Minister may approve any time for the commencement of the first instructional session; and different times may be approved for different categories of educational institutions.
- (7) Subject to paragraph (1), a public school must be in session for the whole of every school day in every week, except during school holidays or during the period of any interruption of school work approved by the Minister or by the Board of Management acting on behalf of the Minister.

PART VII

1992/48. *Management of Primary, Composite and Senior Schools*

- School Committee. 34. (1) The Minister must appoint the Chairman of the school committee.
- (2) The appointment of a member of the school committee is for a period not exceeding 3 years, but the member is eligible for re-appointment.
- (3) Every school committee shall meet at least once during each school term and shall give at least 7 days' notice of each meeting.
- (4) The minutes of each meeting, whether confirmed or not must be submitted to the Minister within 14 days after the meeting.

35. Subject to the Act, school committees may advise the Minister on Advice to Minister.

- (a) the maintenance and proper use of school buildings; and
- (b) the welfare and discipline of pupils.

36. (1) In every primary and composite school the principal shall keep, in such form as the Minister approves Records of primary and composite schools.

- (a) a proper record of official papers;
- (b) a register of pupils;
- (c) attendance registers for pupils;
- (d) an attendance register for teachers;
- (e) a log book or school diary;
- (f) a cumulative record of every pupil of the school;
- (g) a book for recording punishment for breaches of discipline by pupils and any action taken in respect of breaches of discipline;
- (h) a copy of the existing timetable;
- (i) a copy of the Act and all regulations made under the Act;
- (j) an inventory of equipment, furniture, apparatus, books and other material; and
- (k) such other records as the Minister thinks proper.

(2) The principal must record in the log book significant events in the life of the school.

37. (1) Every book, register, record or other document referred to in regulation 36 Custody and inspection of books, etc.

- (a) must be kept locked in a cabinet or other container on the premises of the school except when the book, register, record or other document is in use or is temporarily withdrawn by the school committee or by the Chief Education Officer; and

(b) must be open to inspection at all reasonable times by members of the school committee, the Permanent Secretary, Ministry of Education, the Chief Education Officer or any person acting under the authority of the Permanent Secretary or Chief Education Officer.

(2) Any person referred to in sub-paragraph (b) of paragraph (1) may make entries of his findings in the log book, school diary, register, record or other document.

Register of pupils.

38. There must be entered in the register of pupils, in respect of each pupil

- (a) his index number, full name, date of birth and the date of his admission to the school;
- (b) the name and address of his parent or guardian;
- (c) the name of the last educational institution, if any, that he attended and the last date of attendance at that institution; and
- (d) the date on which he ceased to be a pupil at the school in respect of which the record is kept.

PART VIII

Curriculum of Public Schools

Primary,
Composite
and Senior
Schools.
1992/48.

39. The curriculum of primary, composite and senior schools includes

- (a) Agriculture;
- (b) Art and Handicraft;
- (c) English Language and English Literature;
- (d) Geography;
- (e) Health Education and Physical Education;
- (f) History;

- (g) Mathematics;
- (h) Music;
- (i) Religious and Moral Education;
- (j) Science;
- (k) Social Studies, including Civics, and such other subjects as the Minister approves.

40. (1) The curriculum of secondary schools includes

Secondary
Schools.

- (a) Agriculture;
- (b) Art and Handicraft;
- (c) English Language and English Literature;
- (d) Foreign Languages;
- (e) Geography;
- (f) Health Education and Physical Education;
- (g) History;
- (h) Mathematics;
- (i) Music;
- (j) Religious and Moral Education;
- (k) Science;
- (l) Social Studies, including Civics;
- (m) Technical and Vocational Education, including Industrial Arts, Home Economics, Needlecraft and Business Studies,

1992/48.

and such other subjects as the Minister approves.

(2) Notwithstanding regulation 43, the principal shall take all necessary steps to ensure that all children are provided with appropriate guidance and counselling.

Assessment
of work.

41. (1) The principal of a school must arrange for periodic assessment of the work and progress of each pupil.

(2) The principal must conduct an annual examination during the last 3 weeks of the third term or at such other time as the principal, in consultation with the Chief Education Officer, determines.

Dispensation
with
instruction.

42. The Minister may, on application in writing made by the Board of any educational institution, authorise the school to dispense with instruction in any subject if there is good reason for so doing.

PART IX

Children requiring special education

Children
who are
blind, etc.

43. (1) When a child reaches the compulsory school age and is believed to be suffering from any physical or mental handicap the parent of the child shall report the matter to the Minister who shall cause the child to be examined by a registered medical practitioner and if the child

- (a) is blind or partially sighted;
- (b) is deaf or partially deaf;
- (c) is educationally subnormal;
- (d) is physically handicapped; or
- (e) requires any other special attention,

he shall make arrangements for the child to be admitted to a special institution, where possible.

(2) Where a child during attendance at school develops a handicap referred to in paragraph (1) the Minister may, on the advice of a registered medical practitioner and with the consent of the parent of the child, remove the child to a special institution.

PART X

Premises of Public Educational Institution

44. (1) The premises of any public educational institution may not be used, except in accordance with this Part, for any purpose other than the purposes of that institution. Use of institution.

(2) Subject to paragraphs (4) and (5) the premises of any public educational institution may be used by the Government for any purpose required by Government.

(3) Subject to paragraphs (4) and (5) the Minister may permit the Board of any public educational institution or any other person to use the premises of the institution for 1992/48.

(a) any religious, charitable, educational, recreational, social or civic purpose; and

(b) the purpose of any political meeting.

(4) Where the premises of a public educational institution are owned by a religious denomination the premises may not be used for any purpose, pursuant to this regulation, without the approval of that religious denomination.

(5) In relation to the use of premises of a public educational institution the following conditions must be satisfied

(a) an application for permission to use the premises must be addressed to the principal;

(b) where the applicant is not resident in Barbados the application must be addressed to the Permanent Secretary, Ministry of Education;

(c) the Minister or the Board may charge such fee as is thought fit and use it for the educational purposes of the institution, but no fee may be charged for the use of the premises by Government;

- (d) the person by whom or on whose behalf the premises are used shall pay the expenses arising from any loss or damage caused to the premises of furniture and fixtures therein in connection with the use of the premises, and where a deposit was requested, the deposit may be forfeited and used towards the payment and where no forfeiture occurs the deposit must be returned to the depositor; and
- (e) the principal may not grant permission for use of the school premises without the approval of the Minister or the Board of Management.

Standards for
premises.

45. (1) The premises and facilities of every educational institution must conform to standards and conditions determined by the Minister, and any other regulations relating to standards of buildings for public use that are in force.

(2) The accommodation, facilities and amenities, are subject to inspection by Education Officers and such persons as the Minister authorises.

PART XI

Inspection, supervision of and visits to educational institution

Inspection of
educational
institution.
1992/48.

46. (1) Every educational institution must be open to inspection and visits by the Chief Education Officer, Deputy Chief Education Officers, Senior Education Officers and Education Officers, School Attendance Officers, Psychologists and such other persons as the Minister may authorise in writing.

(2) Any officer on a visit to an educational institution may inspect the institution, give advice, assist and be consulted on

- (a) the use by the educational institution of national curricula or other approved curricula and the modification of any material to meet the needs of the particular institution;
- (b) textbooks, teaching materials and educational materials;

- (c) improving the efficiency of teachers;
- (d) pupils' records and assessment;
- (e) the principal's assessment of teachers;
- (f) matters of discipline; and
- (g) the welfare of pupils.

(3) The officer may, on the completion of his visit,

- (a) make a record of the visit; and
- (b) make a statement of any action taken on any matter referred to in paragraph (2),

in the school diary or log book.

47. (1) An officer proposing to visit an educational institution must, where possible or appropriate, inform the principal in advance and on arrival must as soon as possible report his presence to the principal. Officer
visiting
educational
institution.

(2) In the case of a large educational institution with several departments, the officer referred to in paragraph (1) must report to the person deputed by the principal, and charged with the administration of that department of the institution.

(3) Where the principal, or the person in charge of an educational institution is unavailable at the time of an officer's visit, the officer may carry out his inspection, but must report his presence in the institution to the principal or the person in charge as soon as practicable.

48. (1) An officer carrying out an inspection of an educational institution may enter any classroom, laboratory, workshop or any other place where an educational, cultural or recreational activity is in progress, and may listen to, watch the progress of, and evaluate and assess any lesson, lecture, demonstration or other activity; and he shall be facilitated in this regard by the principal and staff. Officer may
enter
classroom,
etc.
1992/48.

(2) The officer referred to in paragraph (1) may

- (a) consult with, counsel or assist a teacher if the officer considers it necessary; and
- (b) give the teachers such advice as the officer considers necessary.

Full
inspection.

49. Where it is considered necessary to have a full inspection of an educational institution, the Chief Education Officer

- (a) shall give the principal of that institution at least 2 weeks' notice in writing; and
- (b) may request the principal to submit to the Chief Education Officer, within 7 days from the receipt of the notice mentioned in paragraph (a) the timetables and such other educational material as the Chief Education Officer thinks fit.

Chief
Education
Officer may
authorise
inspection.

50. (1) The Chief Education Officer may, in writing, with the approval of the Minister, authorise any person, other than an education officer, competent and qualified in the field of education, to assist in the inspection of an educational institution, and any person so authorised has the like rights, privileges and responsibilities for the duration and purpose of the inspection as an education officer.

(2) The Chief Education Officer must submit to the principal the names of those persons authorised to carry out the inspection.

Report on
inspection.

51. (1) The persons who carry out an inspection, shall, on conclusion of the inspection, prepare a report on all subjects and activities of the educational institution.

(2) The Chief Education Officer or Deputy Chief Education Officer is to be Chairman of any meeting at which the report referred to in paragraph (1) is considered.

(3) The principal and his staff

- (a) must be provided with copies of the draft of the report referred to in paragraph (1); and

- (b) are entitled to be present and to be heard at any meeting at which the report is considered.
- (4) The draft report referred to in paragraph (3) may be amended or modified at any meeting at which it is considered, and a copy of the final report
- (a) must be forwarded to the principal; and
- (b) is a record of the educational institution.
- (5) The Chief Education Officer must bring to the attention of the principal any recommendations made as a result of the report referred to in paragraph (1) and the principal must implement those recommendations as far as practicable.

52. (1) The Buildings Officer and other technical personnel of the Building section of the Ministry of Education may visit public educational institutions to inspect, plan or supervise the construction and maintenance of buildings.

Inspection by
Buildings
Officer.

- (2) The Buildings Officer or other person authorised by him
- (a) must immediately report his presence on the premises of the educational institution to the principal, or teacher in charge; and
- (b) must state the purpose of his visit.

PART XII

Private Schools and Private Educational Institutions

53. An application for registration of a private school or private educational institution must contain

Registration.

- (a) the name and address of the school or institution;
- (b) the name and address of the proprietor;
- (c) the name and address of the principal;
- (d) the name and address of the person to whom correspondence on matters relating to the school or institution are to be sent;

- (e) the name and address of the owner of the building in which the business of the school or institution is carried on, and the type of tenancy, where applicable;
- (f) the number of pupils attending the school or institution, having regard to the age and sex of those pupils, and the number of pupils for whom there is accommodation at the school or institution;
- (g) the number of teachers presently employed at the school or institution and their educational qualifications and the number proposed to be employed and their educational qualifications;
- (h) a description of the building referred to in paragraph (e) and its grounds;
- (i) the fees to be charged;
- (j) the time at which the school day commences and ends, including break and luncheon periods;
- (k) the subjects of instruction, the level to which those subjects are to be taught and the examinations to be taken; and
- (l) a description of the accommodation provided, including the number of classrooms, recreation rooms and lavatories for male and female pupils.

Records to
be kept in
respect of
pupils.

54. (1) The principal of a private school or private educational institution shall keep

- (a) an admissions register of pupils;
- (b) an attendance register of pupils;
- (c) termly and annual progress reports on pupils; and
- (d) a cumulative record of every pupil of the school.

(2) In the event of the discontinuance of any private school or private educational institution the proprietor shall deliver to the Minister such of the records of the school or institution as the Minister requires.

55. (1) The Minister may grant annually to assisted private schools and assisted private educational institutions such sums of money as circumstances permit. Grants.

(2) Money granted under paragraph (1) must be used exclusively for the purposes for which it was granted.

(3) Where money granted to an assisted private school or assisted private educational institution is misappropriated the Minister may

- (a) discontinue future grants to the school or institution; or
- (b) reduce by the amount misappropriated any future grants made to the school.

(4) No proprietor of a private school or private educational institution shall increase the fees of the school or institution unless he has given in writing, 1 term's notice, or such shorter period as the Minister in special circumstances allows, of the intention of the proprietor to increase the fees of the school or institution, to the Minister and to the parents of the pupils of the school or institution.

PART XIII

Provision of Milk and Meals

56. The Minister may provide for the pupils of public schools Meals and refreshments.

- (a) milk, meals and such other refreshment as he thinks fit; and
- (b) such premises, equipment, transportation, staff and such other facilities and services as are incidental thereto.

57. The principal must

- (a) ensure that the school meals service, as it applies to his school, functions satisfactorily; and Responsibility of principal.
- (b) ensure that pupils are supervised during meal time.

PART XIV

Teachers College

Admission to
teachers
college.

1992/48.

58. (1) Applications for admission to a teachers college must be made in such form and at such time as the Minister determines.

(2) The principal of a teachers college shall,

- (a) after consultation with the Chief Education Officer, select the persons who will be admitted into that teachers college; and
- (b) forward to the Chief Education Officer no later than the 30th June of each year, the names of the persons who have been selected for entry into that teachers college.

(3) No person may be admitted to a teachers college unless

1983/76.

- (a) he has attained the age of 17 years;
- (b) he satisfies the principal that he is of good character and reputation; and
- (c) he possesses
 - (i) such academic and other qualifications as the Minister determines, and
 - (ii) a certificate issued by the Ministry of Education that the person has satisfactorily completed the Preliminary In-Service Training Course, unless the Minister otherwise determines.

Duties of
principal.

1983/76.

59. Without restricting any other duties imposed on him, the principal of a teachers college

- (a) must assign the persons admitted for training each year to appropriate courses;
- (b) must supervise the teaching, discipline, work and conduct of the staff of the college;

- (c) is responsible for the internal organisation and administration of the college;
- (d) must participate in the choice of text books and the determination of the methods of teaching used in the college; and
- (e) must oversee, supervise and certify the preparation, accuracy and maintenance of all necessary records and reports.

60. (1) A person must on admission for training at a teachers college, enter a bond to serve in a Government School or assisted private school for 1 year in respect of each year or part thereof of the period of training. Bond.
1983/76.

(2) Teachers from assisted private schools shall comply with any requirements of the school sponsoring their training.

61. The Chief Education Officer

- (a) must ensure that adequate arrangements exist at schools for the observation and practice of teaching by teachers undergoing training at teachers colleges; and
- (b) must inform the principal of every such college of the existence of the arrangements referred to in paragraph (a).

Observation
and practice
of teaching.

62. *Repealed by S.I. 1992/48.*

63. (1) All teachers must deposit an amount, determined by the Minister, in these regulations referred to as "caution money", to offset any damage to college property for which they might be responsible; but caution money is refundable at the end of the period of training to the extent to which it has not been forfeited. Caution
money.

(2) Teachers who lose, damage or destroy college property, whether intentionally or negligently, will be required to refund its value or such portion of its value as is not covered by caution money.

Certificate or
diploma.
1992/48.

64. (1) Every teacher who is certified by the principal of a teachers college and the Dean of the Faculty of Education, University of the West Indies, to have satisfactorily completed the prescribed course will be awarded a certificate or diploma, as the case may be.

(2) The principal of a teachers college must collaborate with the School of Education, University of the West Indies in the promotion of high standards of training and teacher education in general.

(3) The principal of a teachers college may with the approval of the Minister issue a certificate or Diploma in respect of any course, other than that referred to in paragraph (1), directed to be conducted by the Minister.

(4) The principal must forward to the Chief Education Officer, the final examination grades of and a comprehensive report on each teacher who graduates.

Minister's
approval.

65. (1) The Minister shall decide on the suitability or otherwise of any institution, for providing training for teachers; and no teacher college may be allowed to operate without the Minister's approval being first obtained.

(2) A teachers college referred to in paragraph (1) must submit such details, as the Minister requires, before approval is given.

(3) The Minister may revoke any approval given to a teachers college, and upon such revocation the teachers college ceases to function.

Training
received
outside
Barbados.

66. The Minister may, after consideration of the standard of training that exists in any teachers college outside Barbados, approve the training as being equal to the training obtainable in Barbados.

PART XV

Grants to Educational Institutions

Grants.

67. The Minister may make grants out of money provided by Parliament for the purpose to

- (a) public educational institutions administered by Boards;
- (b) assisted private schools; and
- (c) schools providing special education.

68. The Minister may

- (a) direct the Board of a public educational institution to use in any manner he thinks fit, the amount of any grant left unspent at the end of any financial year, and
- (b) suspend payment of any portion of a grant to a public educational institution until proper accounts are submitted by the institution in respect of a grant previously paid to the institution.

Unspent
grant.

69. A withdrawal from the bank account of a Board must be made on the joint signatures of any two of the following

- (a) the Chairman of the Board;
- (b) the person performing the functions of Secretary/Treasurer of the Board; and
- (c) any other person the Board specifies.

Method of
withdrawal
from bank
account.
1992/48

70. (1) Grants made to assisted private schools must be used for

- (a) the payment of the salaries of qualified teachers;
- (b) the teaching of specified subjects;
- (c) the development of a specified curricular activity; and
- (d) the purchase of text books.

Assisted
private
schools.

(2) The proprietor of an assisted private school in respect of which a grant is made

- (a) shall submit to the Minister, statements of accounts certified by an auditor, at such times, as the Minister determines; and

- (b) shall ensure that the principal, the teaching staff and the teaching methods are of a standard of which the Minister approves.
- (3) Where at the end of any financial year any portion of a grant to an assisted private school is unspent the Minister may direct the proprietor to use the unspent portion in such manner as the Minister thinks fit.

Special
Education.

71. Grants made to institutions providing special education may be used for

- (a) the purchase of text books, apparatus and equipment;
- (b) the provision of transport for children travelling to and from such institutions;
- (c) the payment of the salaries of qualified teaching staff;
- (d) the training of teaching and non-teaching staff; and
- (e) generally to meet the expenses of running the institutions.

Withhold
payment.

72. (1) The Minister may withhold payment of a grant to an institution providing special education where he is not satisfied that

- (a) adequate arrangements exist for the management of the institution;
- (b) the programme of education and training will be beneficial to children attending the institution;
- (c) the staff of the institution is suitably-qualified; or
- (d) the facilities at the institution are adequate.

(2) No payment may be made to an institution providing special education unless the proprietor submits to the Minister, at such time as the Minister determines, estimates of receipts and expenditure in respect of the ensuing financial year and audited accounts in respect of the previous financial year.

PART XVI

*Award of Bursaries tenable at Assisted Private Schools
and other Schools providing Special Education*

1992/48.

73. (1) The Minister may award annually such number of bursaries, tenable at assisted private schools or any other school that provides special education as he thinks fit.

Award of
Bursaries.
1992-47.

(2) A bursary tenable at a school referred to in this regulation may be awarded to a pupil who is under the age of 18 years on 1st September in the year of the award.

1992/47.

74. A bursary expires at the end of the academic year in which the holder attains the age of 17 years; but, subject to satisfactory termly reports, the Minister may on the recommendation of the principal grant an extension of 1 year.

Duration of
Bursaries.

PART XVII

DIVISION I

Scholarships, Exhibitions and Bursaries

75. (1) For the purposes of this Division

"examination" means the Barbados Scholarship Examination;

"exhibitioner" means a person holding an exhibition;

"scholar" means a person holding a Barbados Scholarship; and

"University" includes any institution for higher learning approved by the Minister.

Interpreta-
tion.

1992/47.

(2) A reference in this Part to a scholarship or an exhibition, as the case may be, is a reference to a Barbados Scholarship or an exhibition under Part VI of the Act.

Eligibility
for award of
Scholarship
or exhibition.

76. (1) A person is, subject to paragraph (2), eligible for an award of a scholarship or an exhibition who

- (a) satisfies the requirements of Part VI of the Act;
- (b) is attending an institution offering tertiary level education; and
- (c) is under 20 years of age at the end of the academic year in which he offers himself as a candidate for the Advanced Level examinations or its equivalent of any examining body approved by the Minister.

(2) A person referred to in paragraph (1) must produce to the Chief Education Officer documentary evidence that establishes that the person satisfies that paragraph.

Examination.

77. The examination must be conducted in Barbados by any examining body approved by the Minister.

Proposed
course of
study and
certificate of
health.
1992/47.

78. (1) An award of a scholarship is tenable at any university approved by the Minister.

(2) An award of an exhibition is tenable only at the University of the West Indies.

(3) Notwithstanding paragraph (2), a person who has been offered an exhibition and who wishes to pursue a course of study at a university other than the University of the West Indies, may be awarded a grant of a sum equivalent to the sum that would have been awarded if the award of the exhibition had been accepted.

(4) A scholar must, within 3 months after being notified of the award of the scholarship, submit to the Minister

- (a) the name of the university that the scholar proposes to attend;
 - (b) particulars of a proposed course of study, for the approval of the Minister; and
 - (c) a certificate of health from a registered medical practitioner.
- (5) An exhibitor must within 3 months after being notified of the award of an exhibition submit to the Minister

- (a) particulars of a proposed course of study to be pursued at the University of the West Indies; and
- (b) a certificate of health from a registered medical practitioner.

79. A Scholar or exhibitioner must, on the acceptance of an award to him of a scholarship or exhibition, sign a bond with 2 sureties, to work in Barbados on completion of his course for 1 year in respect of each year or part thereof of the award. Bond.
1992/47.

80. A scholar or exhibitioner whose proposed course of study is approved by the Minister must, within such time as the Minister approves, take up his course of study and unless prevented by some reasonable cause, diligently pursue his course until the expiration of the scholarship or exhibition, as the case may be. Scholar to
take up
course.
1992/47.

81. A scholar or exhibitioner may forfeit his scholarship or exhibition, as the case may be, where he Forfeiture.

- (a) is expelled or suspended from a university;
- (b) fails any examination held by the university;
- (c) alters his course of study without the prior approval of the Minister;
- (d) is unfit, in the opinion of the authorities of the University, to continue holding a scholarship or exhibition, as the case may be; or
- (e) contravenes or fails, without reasonable cause, to comply with these regulations.

DIVISION II

Barbados Scholarship Standards for Award

82. (1) For the purposes of this Division, "examination" means the Advanced Level Examination of the General Certificate of Education set by the examining body, or its equivalent; Interpreta-
tion.

"examining body" means any examining body approved by the Minister.

(2) A reference in this Division to a scholarship or an exhibition, as the case may be, is a reference to a scholarship or an exhibition under Part VI of the Act.

Conditions
for award.

83. (1) Subject to paragraph (2), no candidate may be awarded

(a) a scholarship or exhibition, unless he attains a pass in the general paper in the examination;

1983/76.
1992/47.

(b) a scholarship, unless he attains passes in the examination in no less than 3 subjects and each of the three passes is at grade 'A';
or

1983/76.
1992/47.

(c) an exhibition, unless he attains passes in the examination in no less than 3 subjects at least 2 of the passes being not lower than Grade 'A' and the other being at least at Grade 'B'.

(2) Notwithstanding paragraph (1), where a candidate attains a standard in the examination higher than that required by paragraph (1)(b) or (c), as the case may be, but does not pass the general paper as required by paragraph (1)(a), the Minister may award to that candidate a scholarship or an exhibition, as the Minister considers appropriate.

DIVISION III

University of the West Indies Exhibitions

Interpreta-
tion.

84. For the purposes of this Division

"examination" means the entrance examination held by the University;

"exhibition" means the exhibition awarded on the basis of the examination; and

"University" means the University of the West Indies.

85. There will be awarded annually, on the basis of the University Entrance Examination, such exhibitions to the University, as the Minister approves. Exhibitions.

86. Any person who Application.

(a) satisfies Part VI of the Act; and

(b) wishes to offer himself as a candidate for the examination,

must, in the year in which he so wishes, submit to the Chief Education Officer, on such date as the Minister determines, an application in a form approved by the Minister and a birth certificate, or birth and baptismal certificates.

87. A person is eligible for the award of an exhibition who Eligibility,
for award of
Exhibition.

(a) is, at the time of making the application for an award and at the time of writing the examination, attending an institution offering tertiary level education; and

(b) is under 20 years of age at the end of the academic year in which he desires to offer himself as a candidate for the examination.

88. The examination must be conducted annually, between the months of February and April, in Barbados. Date of
examination.

89. (1) The University shall inform the Minister of the names of the candidates recommended for the award of exhibitions. University
shall inform
Minister.

(2) The Minister may, after considering the recommendations made under paragraph (1), make such awards as he considers appropriate. 1992/47.

(3) The University shall not recommend a candidate for the award of an exhibition unless, in addition to his having passed the University Entrance Examination, the candidate has attained passes, at least at Grade 'C' at the Advanced Level Examination of the General Certificate of Education set by an examining body approved by the Minister in the subjects specified by the University for entry into the course of study he wishes to pursue. 1983/76.

Proposed
course of
study and
certificate of
health.

90. An exhibitor must, within 3 months after being notified of the award of an exhibition, submit to the Minister

- (a) particulars of a proposed course of study for the approval of the Minister; and
- (b) a certificate of health from a registered medical practitioner.

Bond.

91. Every exhibitor must, on the award to him of an exhibition sign a bond with 2 sureties to return to Barbados on completion of his course and work for 1 year in respect of each year or part thereof of the award.

Exhibitor
to take up
course.

92. Every exhibitor whose proposed course of study is approved by the Minister must, within such time as the Minister determines, take up his course at the University, and unless prevented by some reasonable cause, diligently pursue his course until the expiration of the exhibition.

Forfeiture.

93. An exhibition may be forfeited where the exhibitor

- (a) is expelled or suspended by the University;
- (b) fails any examination held by the University;
- (c) alters his course of study without the prior approval of the Minister;
- (d) is unfit, in the opinion of the authorities of the University, to continue holding an exhibition; or
- (e) contravenes or fails, without reasonable cause, to comply with this Part.

DIVISION IV

Interpreta-
tion.

94. For the purposes of this Division

"Committee" means the National Scholarships Committee;

"scholar" means a person holding a scholarship;

"scholarship" means a National Development Scholarship; and
 "University" means the University of the West Indies or any other institution for higher learning approved by the Minister.

95. There may be awarded in each year, after consideration of the National needs, such number of scholarships, to be known as National Development Scholarships,

National
Development
Scholarships.
1992/47.

- (a) as the Minister determines; and
- (b) in such areas of study as the Minister considers high priority areas.

96. Every person who

Application.

- (a) satisfies Part VI of the Act;
- (b) possesses the academic qualifications for admission to the University; and
- (c) wishes to be awarded a National Development Scholarship

must submit an application in such form and at such time as the Minister determines.

97. The Committee must interview the applicants who satisfy regulation 96 and submit its recommendations to the Minister.

Interview.

98. Every scholar, upon being awarded a National Development Scholarship, must sign a bond with 2 sureties to return to Barbados on completion of his course and work for 1 year in respect of each year or part thereof of the award.

Bond.

99. Every scholar must, within 3 months after being notified of an award, submit to the Minister

- (a) particulars of a proposed course of study for the Minister's approval; and
- (b) a certificate of health signed by a registered medical practitioner.

Proposed
course of
study and
certificate of
health.
1992/47.

Scholar to
take up
course.

100. Every scholar whose proposed course of study is approved by the Minister must, within such time as the Minister determines, take up his course at the University, and unless prevented by some reasonable cause, diligently pursue his course until the expiration of his scholarship.

Withdrawal
or
suspension.

101. A scholarship may be withdrawn or suspended where a scholar

- (a) is expelled or suspended by the University;
- (b) fails any examination held by the University;
- (c) alters his course of study without the approval of the Minister;
- (d) is unfit, in the opinion of the authorities of the University, to continue holding a National Development Scholarship; or
- (e) accepts any appointment without the approval of the Minister.

DIVISION V

Bursaries

Interpreta-
tion.

102. For the purposes of this Division

"Committee" means the National Scholarships Committee;

"bursar" means a person holding a bursary; and

"University" means the University of the West Indies.

Bursaries.
1992/47.

103. There may be awarded in each year such number of bursaries,

- (a) tenable at the University, as the Minister determines; and
- (b) in such areas of study as the Minister considers to be high priority areas.

Application.

104. Every person who

- (a) satisfies Part VI of the Act;

(b) has been offered a place at the University or is pursuing a course at the University; and

(c) wishes to be awarded a bursary,

must submit an application in such form and at such time as the Minister determines.

105. The Committee must interview the applicants who satisfy regulation 104 and submit its recommendation to the Minister. Interview.

106. Before taking up his bursary at the University a bursar must Medical fitness and bond.

(a) be passed medically fit by a registered medical practitioner; and

(b) sign a bond with 2 sureties to return to Barbados on completion of his course and work for 1 year in respect of each year or part thereof of the award.

107. Every bursar whose proposed course of study is approved by the Minister must within such time as the Minister determines, take up his course at the University, and unless prevented by some reasonable cause, diligently pursue his course until the expiration of his bursary. Time of taking up course at University.

108. A bursary may be withdrawn or suspended where the bursar Suspension or withdrawal of bursary.

(a) is suspended by the University;

(b) fails any examination held by the University;

(c) alters his course of study without the approval of the Minister;

(d) is unfit, in the opinion of the authorities of the University, to continue holding a bursary, or

(e) accepts any appointment without the approval of the Minister.

1993/114.

SCHEDULE

(Regulation 25(3C))

BARBADOS SECONDARY SCHOOLS ENTRANCE EXAMINATION

FORM A

REQUEST FOR PUPIL UNDER 11 YEARS ON 1ST SEPTEMBER TO WRITE EXAMINATION

A. To be completed by Parent/Guardian

Name of School:

Pupil's Name:
Block Capitals - Surname First

Date of Birth:
Year Month Day

Age on 1st September,

Name of Parent/Guardian:
Block Capitals

I hereby request that my *son/daughter/ward named above write the Barbados Secondary Schools Entrance Examination in May,

I am aware that *he/she will be given only one opportunity to write this examination.

(*delete as applicable)

.....
Signature of Parent/Guardian

.....
Date

Forms to be completed and returned to Principal by

.....