

BELIZE:

EDUCATION AND TRAINING BILL, 2009

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BELIZE:

BILL FOR AN ACT to repeal the Education Act Chapter 36 of the Substantive Laws of Belize, Revised Edition 2000-2003 and the Belize Technical and Vocational Education and Training Act, Act No, 4 of 2005; and to make new and better provisions for education in Belize.

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize, and by the authority of the same as follows:

(Gazeted , 2009).

PART I
Preliminary

1. (1) This Act may be cited as the Education and Training Act, 2009. *Short title and commencement*
- (2) This Act shall come into force on a day to be appointed by the Minister by Order published in the Gazette.
2. In this Act, unless the context otherwise requires *Interpretation*

“appointment” means a formal act of the Belize Teaching Service Commission to place a teacher on the Register of Appointed Teachers;

“BBTE” means the Belize Board of Teacher Education established under section 23 of this Act;

“Central Districts” means the Belize and Cayo Districts;

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

“child” means a person under the age of eighteen years;

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

“Commission” means the Belize Teaching Service Commission established under section 15 of this Act;

“community school” means a school or institution not owned by a specific person, organization or group of organizations and which is managed by a Board of Management composed mainly of representatives of parents, school staff and local community organizations;

“continuing education” means a short-term programme of

study in a specific area for professional or employment or job related skills and knowledge enhancement; it can be award-bearing or non-award bearing and vocational or non-vocational;

"corporal punishment" refers to anything done to a child for the purpose of punishing that child (whether or not there are other reasons for doing it) which, apart from any justification, would constitute battery;

“denominational school” means a school which is owned and managed by a religious denomination;

“dean” means the person appointed as an administrator of a Junior College, Sixth Form or other post-secondary institution;

“denomination” means religious denomination;

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

“Government” means the Government of Belize;

“government school” means a school established or retained and maintained by the Government wholly from funds allocated out of the Consolidated Revenue Fund;

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

“higher education” means a programme of study leading to the award of an associate degree, a bachelor's degree, a graduate certificate, a graduate diploma, a master's degree, a doctoral degree or any equivalent qualifications;

“institution” means an educational institution providing some organized form of educational service, including technical and vocational education;

“ITVET” means an Institute for Technical and Vocational Education and Training recognized by the Ministry to offer pre-vocational and vocational programs for the development of technical, vocational and entrepreneurial skills at secondary and post secondary levels;

“ITVET manager” means the administrator in charge of an ITVET;

“manager, managing authority or board of management, or

governors or trustees” means a person or committee appointed in accordance with section 39 of this Act;

"member of staff" in relation to a school means any person who works as a teacher at a school or other place at which education is provided, or any person who (whether in connection with the provision of education or the provision of support services to the school or its students) works at a school or institution or otherwise provides his services there (whether for payment or not for payment), and has lawful control or charge of pupils;

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

“non-coeducational” means a school, high school, college, junior college, sixth form, or other educational institution in which all students are of the same sex;

“Northern Districts” means the Corozal and Orange Walk Districts;

“parent”, in relation to any child, means a mother, father, step mother or step father, and includes a guardian or a person who has actual custody of the child;

“PTA” means Parent Teachers’ Association;

“post-secondary institution” or “tertiary institution” means educational institutions of which normal matriculation requirements include completion of secondary school;

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

“pre-primary” means the level of schooling suitable for children between the ages of three and five years;

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

“principal” means, in relation to any school, the teacher in charge of providing educational leadership, including managing the day to day affairs of the school, to assure and improve the quality of education provided;

“private school” means a school licenced to operate in Belize by the Ministry and which is not in receipt of grant-in-aid from the Government; “proprietor” means

- a. in relation to a school, the person or body of persons duly recorded on the licence to operate a school, as the owner and person responsible for the management of the school;
- b. in relation to an application for a licence to operate a school, the person or body of persons proposing to be the owners and to be responsible for the management of the school for which a licence is being sought;

“reasonable force” is the minimum force necessary to prevent a pupil from physically harming him/herself or others, seriously damaging property or prejudicing maintenance of good order, but used in a manner which attempts to preserve the dignity of all concerned and justifiable given the circumstances of a particular incident and the degree of force used with respect to the age, sex, physical strength, size, understanding, medical conditions and any special education needs of a student;

“Register of Appointed Teachers” means a register maintained by the Commission for the purpose of recording the particulars of those teachers in possession of a full licence who have successfully completed a probationary period of employment;

“registered pupil” or “registered student” means, in relation to any school or institution, a pupil recorded as a registered pupil or student in the register kept in accordance with rules made under this Act, but does not include any former pupil or student who has been withdrawn from the school or institution;

“release” means a formal mechanism that allows a teacher, on his request, to leave employment in one management or institution so as to take up employment in another management or institution;

“school” means an institution that provides preschool, primary, or secondary education;

“school community liaison officer” means a person appointed under section 63 of this Act;

“school year” means a period prescribed or approved as such under this Act or Rules made under this Act;

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

twelve years and eighteen years;

“Secretariat” means the Belize Teaching Service Commission Secretariat established under section 16 of this Act;

“semester” means a period during the school year as prescribed or approved under this Act or Rules made under this Act;

“Southern Districts” means the Stann Creek and Toledo Districts;

“teacher” means a person employed for the purpose of instructing students;

“temporary employment” means employment for a specified period of time under conditions stipulated in a contract formulated in accordance with this Act and Rules made under this Act;

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

“Tribunal” means the Teaching Service Appeals Tribunal established under section 19 of this Act;

“TVET Council” means the National Council for Technical and Vocational Education and Training established under section 11 of this Act;

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

PART II

The Ministry of Education

3. (1) The Ministry, under the general direction of the Minister, shall work in partnership, consultation and cooperation with churches, communities, voluntary and private organizations, and such other organizations and bodies which the Ministry may identify and recognize as education partners for the sufficient and efficient provision of education in Belize.
- (2) In discharging its functions under subsection (1) above, the Ministry shall
- (a) establish and set national education goals and policies;

*General functions
of the Ministry of
Education.*

- (b) set standards for the education system;
 - (c) issue licenses to schools and other educational institutions, provided that all prerequisites to licensing are met;
 - (d) issue licenses to teachers, provided that all the prerequisites to licensing are met;
 - (e) provide support systems for the effective delivery of appropriate and equitable educational services at all levels of the education system;
 - (f) monitor the quality and effectiveness of education in the following levels and sectors of the education system: preschool, primary, secondary, TVET, post-secondary and tertiary.
- (3) The Minister shall appoint District Education Councils to assist the Ministry in planning, managing and monitoring the delivery of educational services in each district in Belize. The composition and terms of reference of the District Education Councils shall be as specified in Rules made under this Act pursuant to section 72.
4. (1) There shall be a Chief Education Officer who shall be a public officer appointed by the Governor-General, on the advice of the Prime Minister given after consultation with the Public Services Commission in accordance with section 107 of the Constitution of Belize. *Appointment of Chief education Officer, CAP.4.*
- (2) The power to exercise disciplinary control over a person holding or acting in the office of Chief Education Officer and the power to remove such person from office shall likewise vest in the Governor-General acting in accordance with the advice of the Prime Minister given after consultation with the Public Services Commission in accordance with section 107 of the Constitution of Belize.
- (3) The Chief Education Officer shall be responsible for appraising the Minister, the National Council for Education and the National Council for Technical and Vocational Education and Training on recommendations and proposals for education and training policy and for the discharge of the functions of the Ministry under this Act and any Rules made hereunder.
5. (1) There shall be appointed such other officers and employees as are required to carry out the provisions of this Act or any Rules made under this Act. *Appointment of other officers and employees.*

- (2) The power to appoint the officers and employees referred to in subsection (1) above (including the power to transfer and confirm appointments) and to exercise disciplinary control over such officers and employees, including the power to remove such officers and employees from office, shall vest in the Public Services Commission pursuant to section 106 of the Constitution.
6. (1) At the end of each school year, the Chief Education Officer shall prepare a report on the state of education and training in Belize and the format of the report shall be as prescribed in the Rules made under this Act. *Annual Report*
- (2) A copy of the report prepared pursuant to subsection (1) above shall be submitted to the Minister, the National Council for Education and the National Council for Technical and Vocational Education and Training within three months after the end of the school year.

PART III
National Council for Education

7. There is established for Belize a Council to be known as the National Council for Education, embodying the partnership between the State and its partners in education, such as churches, communities, voluntary organizations and other partners in education. *National Council for Education*
8. (1) The members of the Education Council, other than the *ex-officio* members, shall be appointed by the Minister. *Composition of the Education Council*
- (2) The Education Council shall be composed of not more than fifteen members who shall include:
- (a) the Chief Education Officer who shall be an *ex officio* member;
 - (b) a representative of the denominational managements of primary schools nominated by General Managers of primary schools;
 - (c) a representative of managing authorities of secondary schools nominated by Managing Authorities of Secondary Schools;
 - (d) a representative of a recognized teachers' union with the widest national representation of teachers nominated by that teachers' union;
 - (e) five representatives of the different levels and sectors of the educational system namely

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- (i) one representative of managers of pre-schools;
 - (ii) one representative of principals of primary schools;
 - (iii) one representative from the Belize Association of Principals of Secondary Schools;
 - (iv) one representative from the Association of Tertiary Level Institutions of Belize; and
 - (v) one representative of Non-Governmental Organizations in the non-formal education sector selected by members of such Non-Governmental Organizations;
 - (f) three representatives of parents, one each from the Northern, Central and Southern Districts, none of whom are represented under any other category in this section, nominated by the National Committee for Families and Children;
 - (g) the Chairperson of the National Council for Technical and Vocational Education and Training or his nominee; and
 - (h) two representatives of the business community.
9. (1) The Education Council shall advise the Minister on all matters relating to education the Minister requests and shall consider and make proposals to the Minister on matters relating to education as it considers expedient.
- (2) In discharging its functions under subsection(1), the scope and focus of the Education Council shall be to:
- (a) make recommendations on the availability of, and access to, the different levels of education including continuing education and special education;
 - (b) monitor and report on factors which limit participation in education, including socio-economic and cultural factors;
 - (c) act as a forum for discussion on the goals of education and the relationships between schooling and the needs of the individual and education and the development of Belize as a

*General functions
of the Education
Council*

nation;

(d) inform and advise on the quality of schooling at the different levels including issues of curriculum, textbooks and teacher performance;

(e) inform and advise on the effectiveness of management in the education system and schools; and

(f) make recommendations on the responsibilities and contribution of parents and the community to education.

10. The Constitution of the Education Council shall be as prescribed in the First Schedule to this Act.

Constitution of the Education Council. First Schedule

PART IV

National Council for Technical and Vocational Education and Training

11. There is established for Belize a TVET Council to be called the National Council for Technical and Vocational Education and Training, embodying the partnership between the State and its partners in technical and vocational education and training, such partners as, civil society, labour and private sector organizations.

National Council for Technical and Vocational Education and Training

12. (1) The members of the TVET Council, other than the ex officio members, shall be appointed by the Minister.

Composition of the TVET Council

(2) The TVET Council shall be composed of not more than fifteen members and shall include

- (a) the Chief Education Officer, *ex-officio*;
- (b) one representative of parents, who is not represented under any other category in this section, selected by the Minister;
- (c) a representative of the Management of ITVETs, nominated by the Association of Institutes of Technical and Vocational Training Managers, *ex-officio*;
- (d) the chairperson of the National Council for Education or his nominee;
- (e) a representative chosen from registered non-governmental organizations whose principal goals are or include skills training for workforce development, or the support of such skills training;

- (f) a representative nominated by the National Trade Union Congress of Belize.;
 - (g) a representative nominated by the Association of Professional Engineers;
 - (h) an officer from the Labour Department, nominated by the Minister responsible for Labour;
 - (i) a representative nominated by the Belize Tourism Board;
 - (j) a representative nominated by the Belize Chamber of Commerce and Industry;
 - (k) a representative nominated by the Belize Business Bureau;
 - (l) an officer of the Ministry of Human Development, nominated by the Minister responsible for Human Development;
 - (m) a representative of an enterprise development agency;
 - (n) a representative of the Public Utilities Commission; and
 - (o) an officer of the Ministry of Agriculture, nominated by the Minister responsible for Agriculture
13. (1) The TVET Council shall advise the Minister on all matters related to technical and vocational education and training, and shall consider and make proposals to the Minister on matters relating to workforce performance and development as it considers expedient.
- (2) In discharging its duties under subsection (1), the scope and focus of the TVET Council shall be
- (a) to provide advice in the design of the curricula pertinent to technical and vocational education and training at all levels of the education system;
 - (b) to provide advice in the establishment of standards for the completion of all technical and vocational education and training programs and apprenticeships in designated trades and occupations identified by the Minister as eligible for award of the Belize National Vocational Qualification;
 - (c) to provide advice in the development, conduct or arrangements for examinations, tests or other standards of performance for persons seeking technical and vocational education and training and certification at

*General functions
of the TVET
Council*

Belize National Vocational Qualification levels;

- (d) to assist in monitoring the quality and effectiveness of technical and vocational training at the post primary, secondary, and post-secondary levels of the education system;
- (e) to provide advice and assistance in developing policies and procedures for granting recognition and accreditation in Belize of technical and vocational education and training qualifications granted in member countries of the Caribbean Community and other countries;

14. The Constitution of the TVET Council shall be as prescribed in the Second Schedule to this Act.

*Constitution of the TVET Council.
Second Schedule.*

PART V
Belize Teaching Service Commission

15. (1) There is established for Belize a Commission to be called the Belize Teaching Service Commission

Belize Teaching Service Commission.

- (2) The Commission established pursuant to subsection (1) shall consist of twelve members selected and appointed as follows:

- (a) A Chairperson, appointed by the Prime Minister after consultation with the Leader of the Opposition, the National Council for Education and the National Council for Technical and Vocational Education and Training.
- (b) eleven other members appointed by the Minister as follows:
 - (i) the Chief Education Officer, ex-officio;
 - (ii) the Director of the Commission's Secretariat who shall serve as Secretary to the Commission, ex-officio,(non-voting power);
 - (iii) one representative from General Managers of Government-aided Primary Schools selected by the General Managers of Government-aided Primary Schools at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of the General Managers are present;
 - (iv) one representative from Boards of Management of Government-aided Secondary Schools, who

is not an ex-officio member of such boards, selected by chairpersons of the Boards of Management of Government-aided Secondary Schools at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of chairpersons of Boards of Management of Secondary Schools are present;

- (v) one representative from Boards of Management of Government-aided Tertiary or Post Secondary institutions, who is not an ex-officio member of such Managing Authorities, selected by the chairpersons of Boards of Management of Tertiary or Post Secondary institutions at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of chairpersons of Boards of Management of Tertiary or Post-Secondary institutions are present;
- (vi) one representative from Boards of Management of ITVET Institutions, who is not an ex-officio member of such boards, selected by chairpersons of the Managing Authorities of TVET Institutions at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of the chairpersons of Managing Authorities of TVET institutions are present;
- (vii) one representative of the largest registered teachers' union;
- (viii) three representatives of parents nominated by District Education Councils so that there is one representative from the Northern districts, one from the Central districts, and one from the Southern districts, provided that the parent representatives at the time of their appointment to the Commission are
 - i. elected, executive members of a PTA of any school in the region to be represented and that the parent representative would serve for the term of the Commission notwithstanding any change in his status as a member or officer of the PTA on which he served as an elected member during the period of his service on the Commission;

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- ii. not appointed members of any of the District Education Councils;
 - iii. not, at the same time, practicing teachers; and
 - iv. not represented under any other category in section 16 of this Act; and
 - (ix) one representative of the churches selected by the Council of Churches and the Belize Evangelical Churches Association on a rotational basis.
- (3) No person shall be qualified to be appointed as a member of the Commission if he is a member of the National Assembly or, if he holds, or is a candidate for any elected office.
- (4) Save in respect of the ex-officio members, a person shall not be appointed as a member of the Commission if he holds or is acting in any public office.
16. (1) There is established within the Ministry a Secretariat, to be called the Belize Teaching Service Commission Secretariat which shall be charged with the performance of the administrative and management functions of the Belize Teaching Service Commission. *Belize Teaching Service Commission Secretariat*
- (2) The Secretariat shall provide such information and support to enable the Belize Teaching Service Commission to execute its functions in accordance with approved policies of the Ministry.
17. (1) The Belize Teaching Service Commission shall enforce *Power and functions of the Belize Teaching Service Commission*
- (a) standards set by the Ministry for entry into teaching to assure the quality and status of the Belize teaching force and the quality of the delivery of education; and
 - (b) all regulations governing the conditions of service of teachers with respect to employment, appointment, transfer, discipline and termination of teachers in government and government-aided pre-primary, primary, secondary, tertiary and TVET institutions subject to the provisions of sections 19 and 21 of this Act.
- (2) The Commission shall have the power to
- (a) verify and enforce compliance with standards, set by the Ministry, and regulations prescribed in this Act and Rules made thereunder for employment of teachers;

- (b) maintain a database of teachers;
- (c) maintain a Register of Appointed Teachers;
- (d) appoint teachers to the teaching service;
- (e) approve transfer of teachers;
- (f) approve such leave as long leave, study leave and maternity leave, extended sick leave and any other leave extending beyond ten days;
- (g) approve secondment and posting as itinerant resource officer;
- (h) discipline teachers in the teaching service

for government and government-aided pre-schools, primary and secondary schools, TVET and tertiary institutions, in accordance with this Act and Rules made under this Act, and all other applicable laws.

- (3) The Commission shall collaborate with the Chief Education Officer to help Managing Authorities achieve quality leadership in the administration of matters related to the employment and conditions of service of teachers through a system of support, guidance, training, and monitoring.
- (4) The Commission, in the exercise of its functions under this Act shall take appropriate disciplinary action against any Managing Authority or Proprietor which fails to comply with the provisions made under this Act and Rules made thereunder for matters related to the employment and conditions of service of teachers.
- (5) The Commission shall, in the exercise of its functions under this Act, not be subject to the direction or control of any person or authority.

18. The Constitution of the Commission shall be as prescribed in the Third Schedule to this Act.

*Constitution of
Commission, Third
Schedule*

PART VI
Teaching Service Appeals Tribunal

19. (1) There is established for Belize a Teaching Service Appeals Tribunal which shall confirm or set aside such decisions made by the Commission to:
- (a) exercise disciplinary control over, to dismiss appointed teachers or to approve transfers of teachers; or
 - (b) to take disciplinary actions against a Proprietor or Managing Authority pursuant to section 17 (4).

*Teaching Service
Appeals Tribunal*

- (2) The Tribunal shall be the recourse of first appeal in these matters.
20. The members of the Tribunal shall be appointed by the Prime Minister. *Composition of the Tribunal*
- (1) The Tribunal shall be composed of not more than five members and shall include
- (c) the Solicitor General who shall preside as Chair;
 - (d) the Labour Commissioner;
 - (e) the chairperson of the National Council for Education or his nominee;
 - (f) the chairperson of the National Council for Technical and Vocational Education and Training or his nominee;
 - (g) an attorney-at-law with at least five years experience, selected by the Bar Association
- (3) No person shall be qualified to be appointed as a member of the Tribunal if he is a member of the Commission.
21. (1) The Tribunal shall hear appeals arising from matters related to disciplinary actions against teachers or transfers of teachers approved by the Commission or disciplinary actions against Proprietors or Managing Authorities by the Commission as may arise from time to time. *General functions of the Tribunal*
- (2) The mechanism for appeals shall be as prescribed in the Rules made under this Act pursuant to section 72.
22. The Constitution of the Tribunal shall be as prescribed in the Fourth Schedule to this Act. *Constitution of Tribunal. Fourth Schedule.*

PART VII
Belize Board of Teacher Education

23. There is established for Belize a Board to be called the Belize Board of Teacher Education for the purpose of assuring the quality of teacher education in Belize. *Belize Board of Teacher Education*
24. (1) The members of the BBTE, other than the ex-officio members, shall be appointed by the Minister. *Composition of the BBTE*
- (2) The BBTE shall consist of not more than fifteen members who shall include
- (a) the chairperson or his nominee from the Committee for Teaching Services of the Education Council

- (b) four representatives of the Ministry appointed by the Chief Education Officer who shall be *ex-officio* members
 - (i) the officer in the Ministry with overall responsibility for teacher education;
 - (ii) the officer in the Ministry with overall responsibility for quality assurance of pre- primary, primary and secondary schools;
 - (iii) the officer in the Ministry with overall responsibility for quality assurance of technical and vocational education and training institutions; and
 - (iv) the officer in the Ministry with overall responsibility for higher education;
- (c) three teacher educators representing those institutions approved by the Ministry to provide teacher training programs, services and courses in Belize which teachers shall be
 - (i) one from the University of Belize; and
 - (ii) two others, one of which must be from the junior colleges in Belize, collectively selected by the respective institutions;
- (d) one representative from the Association of Tertiary Level Institutions (ATLIB), selected by the membership;
- (e) one representative from the Association of Managers of Primary Schools, selected by the membership;
- (f) one representative from the Belize Association of Principals of Secondary Schools (BAPSS), selected by the membership;
- (g) one representative from the Belize National Teachers Union (BNTU) , selected by the Executive of the BNTU;
- (h) one representative from of the Joint Board of Teacher Education (JBTE), selected by the Executive of the JBTE, or a similar body approved by the Minister from time to time; and
- (i) two representatives from the community, one appointed by the Minister of Education and one appointed by the churches that manage schools.

25. (1) The BBTE shall provide quality assurance of teacher education and training in Belize and shall make recommendations on teacher training and allied matters to the appropriate authorities.

*General functions
of the BBTE*

(2) In discharging its functions under subsection (1), the BBTE shall

- (a) make recommendations to the Chief Education Officer on the approval of education institutions wishing to offer new or existing teacher training programs, services and courses;
- (b) consider and recommend or approve new education programs, services and courses for delivery in existing teacher education institutions;
- (c) recommend standards for the delivery and assessment of teacher education in all institutions approved to offer teacher training programs, services and courses;
- (d) endorse all rules, procedures and policies governing the delivery of teacher education in all institutions approved to offer teacher training programs, services and courses;
- (e) endorse and publish curricula for each program and course offered for the training of teachers;
- (f) review annual reports submitted by institutions approved to offer teacher training programs, services and courses;
- (g) consider and recommend or approve curricula that support the education and continuous professional development of teachers, teacher educators and other instructional leaders throughout their careers;
- (h) review and endorse articulation and transfer agreements between all institutions approved to offer teacher training programs, services and courses;
- (i) advise the Commission on the suitability of certification of teachers qualified in other countries for employment in the teaching service in Belize;
- (j) approve recommendations to the Minister annually for the granting of award to outstanding teachers for exceptional service rendered in the profession.

26. The Constitution of the BBTE shall be as prescribed in the Fifth Schedule to this Act.

*Constitution of the
BBTE. Fifth
Schedule.*

PART VIII
Teaching Services

27. (1) The Commission shall cause the Secretariat to maintain a register to be known as the Teachers' Database in which it shall record particulars of teachers, including all particulars pertaining to employment and appointment history, as required by this Act and Rules made under this Act. *Teaching Services Records*

(2) The Commission shall cause the Secretariat to maintain a register to be known as the Register of Appointed Teachers in which it shall record the particulars of teachers who have been appointed which particulars shall be prescribed in Rules made under this Act.

28. (1) A person wishing to teach in a preschool, primary school, secondary school, TVET, tertiary or other educational institution shall apply to the Chief Education Officer for an appropriate licence to teach. *Licensing etc., of teachers*

(2) The manner and conditions for licensing, employment and appointment of teachers, the regulation of the behaviour of teachers and other school staff, the Code of Ethics governing them, and disciplinary procedures and other measures applicable to them, including disqualifications for breaching any provisions of the Act or Rules made under this Act, or any other pertinent laws, shall be specified in Rules made under this Act:

Provided that no person shall be granted a license to teach who has

(a) been convicted of a felony of a nature indicating unsuitability for the teaching profession;

(b) not been certified by a registered medical practitioner to be free of

i. the use of illegal drugs;

ii. a communicable disease, or where he is not free of a communicable disease, he does not constitute a risk of communicating said disease and is not likely to be a danger to the health of his students; or

iii. any infirmity likely to interfere with the efficient performance of the person's duties.

(3) The requirements for maintaining a license to teach shall be prescribed in Rules made under this Act.

(4) Under certain conditions as prescribed in the rules made under

this Act, termination of employment may result in dismissal from the teaching service and shall constitute disqualification which shall mean revocation of a licence to teach, and such teachers shall be ineligible for future employment or appointment in the teaching services.

29. (1) A person who does not possess a valid license to teach shall not be employed as a teacher. *Employment, Probation and Appointment*
- (2) A person in possession of a full license to teach is eligible for temporary employment which employment shall be for a probationary period and for subsequent appointment.
- (3) At the time of first employment under a given Managing Authority, a teacher may be given temporary employment for a probationary period not exceeding two calendar years provided that the teacher possesses a full licence in accordance with this Act and Rules made under this Act.
- (4) Notwithstanding the preceding, the Managing Authority supervising the probationary period may recommend appointment at the expiry of twelve months.
- (5) A teacher shall be eligible for appointment by the Commission on the recommendation of the Managing Authority if such a teacher possesses a Full Licence and successfully completes a period of probation in accordance with this Act and Rules made under this Act.
- (6) An appointed teacher who fails to meet the requirements to maintain a Full Licence to teach shall be struck off the Register of Appointed Teachers and shall not be eligible for continued employment or re-appointment until he fulfills the requirements to maintain a Full Licence in accordance with this Act and Rules made under this Act.
- (7) A teacher in possession of a licence other than a Full Licence shall not be eligible for temporary employment on probation as a prerequisite for appointment but shall be eligible for temporary employment for a period not exceeding five (5) calendar years to allow the teacher to acquire the necessary qualifications for a Full Licence in accordance with this Act and Rules made under this Act.
- (8) A period of temporary employment, or any part thereof, may, on the recommendation of the Managing Authority and approval of the Commission, be regarded as service on probation for the purposes of appointment to the teaching service by the Commission provided that the teacher meets the requirements for a Full Licence within the prescribed period and the Managing Authority recommends appointment based on the performance appraisals of the teacher.

- (9) A teacher who fails to acquire the necessary qualifications for the Full Licence within the period prescribed in this section shall have his services terminated and that teacher shall not be eligible for further employment at any school or institution unless or until he acquires, at his own expense, the necessary qualifications for a Full Licence.
- (10) The period of temporary employment, or any part thereof, during which a teacher failed to acquire the necessary qualifications for a full license shall not be considered as service on probation for the purposes of appointment.
- (11) A teacher in possession of a valid license to teach may be given temporary employment for an appropriate period in the case of filling temporary vacancies that may arise during the course of the school year.
- (12) All cases of temporary employment shall be governed by contracts which shall stipulate the period of employment and the terms and conditions for such employment and any other standard contractual terms in accordance with this Act and Rules made under this Act.
30. (1) A teacher is eligible for leave as prescribed in Rules made under this Act. *Leave and Grants*
- (2) A teacher is eligible for grants as may be prescribed in Rules made under this Act.
31. (1) The Managing Authority of a school may, on the approval of the Commission, transfer a teacher, from one school to another school under that Managing Authority's management, but every attempt shall be made to staff schools with teachers who reside in the community where the school is located provided that teachers on probation pending appointment shall generally not be transferred except in exceptional cases. *Transfer, Release, Secondment, Itinerant Resource Officer Status*
- (2) The conditions and rules of procedure governing transfers shall be prescribed in Rules made under this Act.
- (3) Teachers may request a release from a Managing Authority in order to facilitate movement between managements, the public service, the University of Belize or other organizations or institutions.
- (4) Only appointed teachers shall be eligible for secondment or posting as itinerant resource officers subject to the approval of the Commission in accordance with this Act and Rules made under this Act.

32. Teachers shall be subject to disciplinary action by the Commission, or its delegate, as the case may be, and in accordance with this Act and Rules made under this Act. *Disciplinary Action by Managing Authorities and Commission*
33. Every teacher aggrieved by an order, of the Commission, for suspension without pay or on half pay, fine or loss of salary, deferment or stoppage of salary increment, demotion in rank, retirement in the interest of the profession, termination or dismissal from service may, within thirty (30) days of receipt of such order, proffer an appeal to the Appeals Tribunal in accordance with this Act and Rules made under Act. *Appeals to the Tribunal*

PART IX
Establishment and Management of Schools

34. To meet the requirements of this Act, the following are approved systems of schools, the operation of which are subject to the provisions of this Act and Rules made under this Act *Establishment and operation of schools*
- (a) preschools;
 - (b) primary schools;
 - (c) secondary schools;
 - (d) post secondary schools;
 - (e) tertiary schools;
 - (f) TVETs; and
 - (g) other educational institutions.
35. The Chief Education Officer in joint consultation with the Education Council and TVET Council shall have the power to determine *Power of Chief Education Officer to determine number, location, assignment and closure of schools*
- (a) the number and location of schools and institutions;
 - (b) the assignment of a government school or institution to a particular religious denomination or inter-denominational management with reference to the denominational affiliation of the people in the area under consideration and to the need for economy and efficiency;
 - (c) the retention or establishment of government schools and institutions in areas where government-aided schools cannot be maintained effectively and economically, or with due regard to the reasonable demands of all sections of the population; and
 - (d) the closure or amalgamation of schools or institutions in consultation with the Proprietors and Managers or Managing Authorities of such schools and institutions and with due regard to the reasonable wishes of those affected.

36. (1) A person or body of persons wishing to operate a preschool, primary school, secondary school, tertiary, TVET or other educational institution shall apply to the Chief Education Officer for a licence to operate such a school or institution, provided that the Proprietor of such an institution or school already in existence at the date of commencement of this Act and who has already received the approval of the Ministry to operate such an institution or school shall, upon application, be granted a licence under this Act. *Approval of schools and institutions*
- (2) The procedure and criteria for obtaining a licence to operate such a school or institution shall be set out in Rules made under this Act.
- (3) The Chief Education Officer shall maintain a register to be known as the Register of Schools in which it shall record particulars in respect of schools and institutions as required by this Act or Rules made under this Act.
37. (1) Prior to any change in the ownership of a school or institution, or any modification in the particulars supplied on the application for a license to operate such a school or institution, the Proprietor shall apply to the Chief Education Officer on the form prescribed in the rules made under this Act providing full information about the proposed change and any other particulars as may be required by the Chief Education Officer. *Change in ownership*
- (2) On receipt of an application under subsection (1), the Chief Education Officer may approve or disapprove the change of ownership of the school or institution in accordance with this Act and rules prescribed pursuant to section 72.
38. The Proprietor of a licenced school or institution shall have overall responsibility for the proper management, functioning and development of its school or institution. *Responsibility of Proprietors*
39. (1) Every organization, body, institution or religious denomination having one or more schools or institutions shall appoint a manager, board of management, board of governors or board of trustees, as may be appropriate, to be the Managing Authority for each school or institution for which it is the Proprietor. *Managing Authorities*
- (2) Managers, boards of management, governors, or trustees shall be appointed in accordance with Rules made under this Act.
- (3) The Chief Education Officer shall keep a current Register of Managing Authorities.

40. (1) Managing Authorities of government, government-aided and community schools shall be responsible for

*General functions
of managing
authorities*

- (a) the proper and efficient organization and management of schools or institutions including the discharge of responsibilities delegated to them by the Commission;
- (b) the formulation of policies and internal regulations for the efficient and effective conduct of schooling, student discipline and behaviour, and student attire in accordance with Rules made under this Act; and
- (c) the adequate provision of such support systems required to deliver appropriate education to all students enrolled in schools under their management. Such provisions at government-aided and community schools shall be provided with assistance and in partnership with the Government under the conditions for Grant-in-Aid as specified in this Act or Rules made under this Act.

- (2) Managing Authorities of private schools shall be responsible to ensure compliance with requirements of this Act and Rules made under this Act in respect of

- (a) requirements for a licence to operate a school;
- (b) qualifications of professional staff;
- (c) health and safety conditions of the school and its premises; and
- (d) formulation and adoption of non-discriminatory policies and practices for
 - (i) proper and efficient organization and management;
 - (ii) efficient and effective conduct of schooling;
 - (iii) regulation of student discipline and behaviour; and

- (3) adequate provision of such support systems required to deliver appropriate education to all students enrolled in their schools.

41. (1) Managing Authorities shall recruit, interview and select persons to fill vacancies for principals, vice-principals and teachers and shall offer employment to the selected persons in accordance with sections 28 and 29 and subject section 17 (2)-(a) of this Act and Rules made under this Act.

*Role of Managing
Authorities in
Employment and
appointment of
teachers*

- (2) Managing Authorities shall recommend to the Commission for appointment to the teaching services those teachers who have successfully completed the required probationary period under their management in accordance with section 29 (1)- (5) of this

Act and Rules made under this Act.

- (3) Managing Authorities are empowered to
 - (a) grant release to teachers who have so requested in accordance with Rules made under this Act;
 - (b) transfer teachers within their management in accordance with Rules made under this Act;
 - (c) grant leave of less than ten days such as sick, professional development, compassionate, urgent personal, paternity, and special leave in accordance with Rules made under this Act;
 - (d) indicate support or otherwise, with justification, on applications for extended study leave, secondment or for posting as itinerant resource officer.
 - (e) take disciplinary action for minor offences against teachers under their management in respect of oral and written warnings or reprimands; and
 - (f) through the commission, initiate disciplinary proceedings, against teachers under their management for major offences in accordance with this Act and Rules made under this Act.
 - (4) Every Proprietor or Managing Authority aggrieved by disciplinary action taken against it by the Commission pursuant to section 17 (4) of this Act and Rules made under this Act may within thirty (30) days of receipt of such order, proffer an appeal to the Appeals Tribunal in accordance with this Act and Rules made under this Act.
42. (1) All preschools, primary, and secondary schools, post secondary and tertiary institutions and ITVETs shall keep such records and submit such returns to the Ministry as may be prescribed by Rules or Regulations made under this Act. *School monitoring*
- (2) Within one month of the end of a school year, the Manager or Managing Authority of a preschool, primary or secondary school shall furnish the Chief Education Officer with a report of the year just completed, on the form prescribed for that purpose in Rules made under this Act
 - (3) The Chief Education Officer shall carry out a triennial inspection of each school and continuance of permission to operate the said schools will be dependent on the results of the said evaluation.
 - (4) Any person who
 - (a) willfully makes any false representations or returns to the Chief Education Officer or any officer deputed by him; or
 - (b) willfully refuses to furnish to the Chief Education Officer

Education and Training

or any officer deputed by him any information which such person may be required to furnish by this Act or Rules made under this Act

commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

43. (1) The Chief Education Officer in consultation with the Director of Health Services may make Regulations governing the health conditions to be observed in schools.

*Health conditions
in schools*

- (2) Regulations made pursuant to subsection (1) shall be subject to the approval of the Minister.

44. (1) The Chief Education Officer or any Education Officer deputed by him may enter any premises where a school is being conducted, at any reasonable time during school hours, for the purpose of making enquiries and discharging such duties as may be imposed by this Act or Rules made under this Act.

*Education Officer
may enter any
school*

- (2) Any person who willfully obstructs or resists the Chief Education Officer or any officer deputed by him in the performance of his duties, commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

45. (1) If the Proprietor, Manager or Managing Authority of a government and government-aided school commits any breach of the provisions of this Act or of any Rules or Regulations made under this Act, the Chief Education Officer shall give notice in writing to the Proprietor, Manager or Managing Authority requiring compliance with such provisions.

*Non-compliance
with Act or Rules.*

- (2) Where the Managing Authority of a government or government-aided school or institution fails to comply with the notice issued in accordance with subsection (1) above, the proprietor may appoint a new manager or managing authority.

- (3) A Proprietor, Manager or Managing Authority who fails to comply with the notice issued in accordance with subsection (1) above by failing to bring the deficiencies into conformity with this Act he commits an offence and is liable, on summary conviction, to a fine of one hundred dollars for each day on which he fails to comply with the order and the Chief Education Officer may revoke the license to operate the school.

- (4) Where the deficiencies causing a notice under subsection (1) of this section to be issued, pose a threat to the health or wellbeing of the students or staff, the Chief Education Officer may, make an urgent application to the court for an order to close down the school for such time until there is compliance with the provisions of this Act or Rules made under this Act.

PART X
Grant-In-Aid / Special Grants

46. (1) The Ministry may assist such schools or institutions as are approved under section 36 by way of grant-in-aid from public funds for such expenditures as are provided for in Rules made under this Act. *Conditions of grant-in-aid*
- (2) Rules made under this Act in respect of grant-in-aid shall state the requirements, commitments and standards to be met as conditions of receipt of grant-in-aid.
- (3) The requirements, commitments and standards for grant-in-aid shall conform with the provisions of this Act and any Rules made under this Act.
47. (1) No grant-in-aid or special grant shall be given to any school or institution which fails to comply with the provisions of this Act or of any Rules or Regulations made under this Act. *Refusal of grant-in-aid / special grants*

PART XI
Schooling

48. (1) No person shall be refused admission to any school on account of religion, race, ethnicity, language or political affiliation. *Admission to schools 21 of 1996*
- (2) (2) No person shall be refused admission to any school on account of sex, except where such schools are historically non-coeducational.
49. (1) The Ministry shall ensure equitable access for both sexes to education at all levels, and that provision of education is sensitive to the particular needs of both males and females, and caters to the special needs of challenged pupils. *Gender sensitivity and Special needs 21 of 1996*
- (2) Managing Authorities shall ensure that schools under their management are free of gender, racial and other biases, and shall be managed in such a way that all students shall, as far as may be applicable, co-exist as peacefully and harmoniously as possible.
50. (1) The Ministry in collaboration with Managing Authorities shall ensure that policies are designed to protect teachers from intimidation and assault by parents and students, whether they are on the premises of the school or not, at any time while in pursuit of their duties. Penalties against parents or students who intimidate, threaten or assault teachers shall be prescribed in Rules made under this Act. *Protection from harassment and abuse*
- (2) School authorities shall ensure that pupils are free at school from physical, sexual or other forms of harassment, from intimidation

and corporal punishment, and from exposure to drugs, pornography and other forms of morally, mentally or physically harmful activities.

51. (1) Managing Authorities shall be responsible to ensure that policies designed to promote good behaviour and discipline on the part of students are pursued at their schools. In formulating such policies, due regard shall be given to any guidance on disciplinary matters provided from time to time by the Ministry. *School discipline*
- (2) Every Managing Authority shall consult with principals, members of school staff, parents of students registered at their schools, and students registered at their schools and make a written statement of general principles and measures for promoting good behaviour and discipline for schools under its management.
- (3) Principals of schools must refer to the written statement of general principles and measures provided by their respective managing authorities in determining acceptable standards of behaviour and measures for regulating the conduct of students as stipulated in Rules made under this Act.
- (4) In accordance with subsection (2) of this Act, nothing in the statement of general principles and measures or measures for regulating the conduct of students shall authorise anything to be done in relation to a student which constitutes harassment, intimidation, the administering of corporal punishment or any other actions harmful to a student.
52. The use of reasonable force shall not be deemed corporal punishment for reasons that include averting *Use of reasonable force not corporal punishment*
- (a) an immediate danger of personal injury to, or an immediate danger to the property of any person, including the student himself;
- (b) the disruption of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise;
- (c) the commission of any offence (or, for a student under the age of criminal responsibility, what would be an offence for an older student)
53. The Chief Education Officer in consultation with the Education Council and TVET Council shall, with respect to government and government-aided pre-schools and primary schools, secondary schools and ITVETs *Courses of study*
- (a) prescribe areas of study;

- (b) issue curriculum guidelines and require that courses of study be developed therefrom;
 - (c) issue the curricula pertinent to technical and vocational education and training at all levels of the education system;
 - (d) approve or permit the Managers and Managing Authorities of such schools and institutions to approve alternative areas of study in lieu of or in addition to prescribed areas of study.
54. The school day in every government and government-aided pre-school, primary and secondary school shall include corporate worship and the singing of the National Anthem, and flag raising ceremonies shall be conducted at schools on a regular basis on the part of all pupils in attendance at the school, provided that no child or registered pupil shall be obliged to partake in worship if objection thereto is made in writing by either of his parents or otherwise communicated in reliable form which would be capable of being tendered in evidence in a court of law. *Worship and respect for national symbols*
55. Religious instruction shall be given in every government and government-aided pre-school, primary and secondary school, subject to such rules as may be prescribed, provided that no child or registered pupil shall be obliged to undertake religious instruction if objection thereto is made in writing by either of his parents or otherwise communicated in reliable form which would be capable of being tendered in evidence in a court of law. *Religious instruction*
56. The Chief Education Officer, in consultation with the Education Council and TVET Council shall approve textbooks and other educational materials for use in government and government-aided pre-schools, primary schools, secondary schools and ITVETs. *Textbooks and other educational materials. 21 of 1996*
57. (1) The Chief Education Officer, in consultation with the Education Council and TVET Council shall *Assessment, certification and accreditation 21 of 1996*
- (a) set standards for
 - (i) the completion of primary and secondary schooling;
 - (ii) all technical and vocational education and training programs at the secondary level
 - (iii) all apprenticeships in designated trades or occupations
 - (iv) eligible for award of the Belize National Vocational
 - (v) Qualification; and
 - (b) provide examinations and other measures for the assessment and certification of students and trainees to

determine the attainment of such standards.

- (2) The Minister shall approve all national degrees, diplomas and certificates to be awarded to students.
- (3) The Minister shall, on the recommendations of the Education Council and the TVET Council, approve the accreditation of foreign diploma, degrees and certificates.

58. (1) The Minister may make regulations

School year

- (a) governing the school year, terms, semesters, teaching sessions and holidays;
 - (b) authorizing the manager or Managing Authority to vary for a school or schools under its jurisdiction one or more school terms or school holidays as prescribed by the Regulations; and
 - (c) permitting the manager or Managing Authority to designate, and to implement with the approval of the Chief Education Officer, for a school or schools under its jurisdiction a school year, school term or school holiday that are different than those prescribed by the Regulations.
- (2) If any school or institution has to be closed for a total of five or more consecutive days in a school year, other than for scheduled holidays, the Proprietor shall immediately inform the Chief Education Officer of the reasons for the closure, and the period for which it is likely to remain closed. The approval of the Chief Education Officer is required for both the closure and the re-opening of the school or institution.

PART XII

School Attendance

59. Every person having control of a child, who is five years old by the first day of September and who has not exceeded the age of fourteen, shall cause the child to regularly and annually attend some public or nonpublic school for the entire term during which the public school in the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of fourteen years, unless the child has graduated or is excused as provided in sections 60 (2) (a) and 61 (2) (a), (b) and (c).

*Parent's /
Guardian's duty to
have child of
compulsory school
age educated*

60. (1) If it appears to the Chief Education Officer that the parent is failing to perform the duty imposed on him by section 59, the Chief Education Officer shall notify the parent requiring him

*School attendance
order*

within fourteen days from the service of the notice to satisfy the Chief Education Officer that the child is receiving suitable education either by regular attendance at school or otherwise.

- (2) If after such notice has been served upon a parent, the parent fails to satisfy the Chief Education Officer that the child to whom the notice relates is receiving suitable education, then, if in the opinion of the Chief Education Officer it is expedient that he should attend school, the Chief Education Officer shall serve upon the parent an order in the prescribed form (hereinafter referred to as “a school attendance order”) requiring such parent to cause the child to become a registered pupil at a school named in the order.

Provided that

- (a) no school attendance order shall be served on the parent where there is not, within walking distance of the child’s residence, a government or government-aided school or registered private school unless suitable arrangements exist for the transport of the child to and from the child’s residence and a government or government-aided school or registered private school; and
- (b) before serving such an order upon a parent or making any amendment to such an order involving a change of the school specified in the order, the Chief Education Officer shall, where practicable, afford him an opportunity of selecting the school to be named in the order or, as the case may be, to be substituted for the school named in the order and if a school is selected by him that school shall be the school to be named in the order or, as the case may be, to be named in the order when amended.
- (3) If in proceedings against any person for failure to comply with a school attendance order that person is acquitted, the court may direct that the school attendance order shall cease to be in force, but without prejudice to the duty of the Chief Education Officer to take further action under this section if at any time he is of the opinion that having regard to any change of circumstances it is expedient to do so.
- (4) Save as provided in subsection (3), a school attendance order made with respect to any child shall, subject to any amendment which may be made by the Chief Education Officer, continue in force so long as such child is of compulsory school age unless sooner revoked by the Chief Education Officer.
61. (1) If a child of compulsory school age who is a registered pupil at a school fails to attend regularly thereat, the Principal of the school shall inform the parent and the School Community Liaison Officer of the irregular attendance.

Failure to attend school

- (2) A child of compulsory school age who is a registered pupil at a school shall not be deemed to have failed to attend regularly at a school by reason of his absence from that school
- (a) at any time when he was prevented from attending by reason of sickness, bad weather or any other unavoidable cause;
 - (b) on any day exclusively set apart for religious observance by the religious body to which his parent belongs;
 - (c) if the parent proves that the school is not within walking distance of the child's home and that no suitable transportation arrangements exist or that it is inexpedient for him to become a registered pupil at a school nearer to his home.
- (3) If the parent of a child of compulsory school age who is a registered pupil at a school fails to take effective measures to ensure the regular attendance of his child he commits an offence under this section.
62. (1) Every parent who
- (a) fails to comply with the requirements of a School Attendance Order made under section 60; or
 - (b) fails to take effective measures to ensure the regular attendance of his child, as required by sections 59 and 61,
- commits an offence and is liable on summary conviction to a fine not exceeding one hundred dollars.
- (2) Proceedings under subsection (1) may be instituted by the Chief Education Officer or an officer duly authorized by him, or by the officer with responsibility for truancy management, or by the Managing Authority of a school, or by the Principal of the school concerned.
63. For the effective carrying out of the provisions of this Act, the Chief Education Officer, with the approval of the Minister, shall appoint an adequate number of School Community Liaison Officers and define the area of their work. In the absence of School Community Liaison Officers, the Chief Education Officer shall make other arrangements for carrying out the provisions of this Act.
- (3)
64. It shall be the duty of each School Community Liaison Officer
- (a) to ascertain and report to the District Education Manager every parent of every child resident within his area who has failed or is omitting to cause his child to receive suitable education;
- Penalty for contravention of section 59, 60 or 61*
- School Community Liaison Officer*
- Duties of school community liaison officer*

- (b) enforce the provisions of this Act and to prosecute those not complying therewith; and
- (c) to follow the directions, if any, laid down by the Chief Education Officer.
65. (1) A School Community Liaison Officer or any person duly authorized by the Chief Education Officer, upon first asking for permission to enter, may, enter any yard, house, building or place between the hours of eight o'clock in the morning and five o'clock in the evening of any day of the week except weekends and public holidays to make enquiries as to any child there residing or employed. *Power of school community liaison officers, etc. to enter any place for making enquiries*
- (2) Everyone who
- (a) willfully hinders or obstructs such persons as mentioned in subsection (1) in the performance of their duty under this section; or
- (b) willfully makes any false representations to such persons with respect to the age or employment of a child who is under the compulsory school age; or
- (c) willfully refuses to afford to such persons reasonably requiring it, any information that he possesses as to the age or employment of a child who is under the compulsory school age,
- commits an offence and is liable on summary conviction to a fine not exceeding one hundred dollars.
- (3) A member of the Police Department shall, when called upon by a School Community Liaison Officer or persons duly authorized by the Chief Education Officer, render such assistance as such officer may need in the performance of his functions under this Act.
66. (1) In case of gross and repeated misbehaviour or infractions of the school policies and rules for behaviour which interfere with the general running or undermines the discipline of a school, the Managing Authority may expel a registered pupil from the school. *Expulsion or Withdrawal of pupil from school*
- (2) The withdrawal or expulsion of a registered pupil from a government or government-aided school shall be carried out in conformity with Rules made under this Act.

PART XIII
Higher and Further Education

67. (1) The Minister shall approve, in accordance with this Act and Regulations made under this Act, any institution for further education at such places as the Minister may determine, provided that such institutions already in existence at the date of the commencement of this Act shall not be required to apply for approval under this Act. *Post-secondary, continuing and higher education*
- (2) The Ministry shall make provision for post-secondary, continuing and higher education and training of Belizeans in such tertiary, professional, technical, and vocational education institutions or programmes as may be approved by the Minister in accordance with Regulations governing further education that may be made from time to time.
- (3) In carrying out his functions under subsection (2), the Chief Education Officer shall consult with the Education Council, TVET Council, Board of Teacher Education, and University of Belize, teachers, parents, other stakeholders and partners in education, including the private sector and wider community, as needed, relevant to the particular courses, programmes or training to be provided.
- (4) Pursuant to section (3) above, the Minister on the advice of the TVET Council may specify a list of designated trades or occupations eligible for award of the Belize National Vocational Qualification.
68. The University of Belize shall be governed by the Act for the establishment, management and development of that institution. *University of Belize*

PART XIV ***Scholarships and Bursaries***

69. (1) The Minister may make Regulations in respect of the granting and holding of scholarships. *Scholarships and awards*
- (2) The Minister may, in each year, award scholarships and bursaries, in such number and value as may be deemed available and tenable, at recognized secondary, vocational, technical and post-secondary institutions.
- (3) The Minister may, in each year, award one or more scholarships to persons in accordance with the Regulations governing the award of such scholarships to enable that person to undergo approved courses of study at a college, university or other such post-secondary institution.

- (4) Courses of study under a scholarship shall be approved taking into consideration the developmental needs of Belize and the preference of the individual. The regulations governing the award of such scholarships shall be prescribed in Rules made under this Act.
70. (1) Citizens and permanent residents are entitled, as of right to be admitted to any government and government-aided primary school without payment of tuition fees. Special fees may be levied with the approval of the Chief Education Officer. *Tuition and other school fees 21 of 1996*
- (2) Citizens and permanent residents of Belize are entitled, as of right, to be admitted to any government secondary school without payment of tuition fees. Special fees may be levied with the approval of the Chief Education Officer.
- (3) Government-aided secondary and post-secondary schools may charge tuition and special fees. The type and amount of tuition and special fees charged are to be approved by the Minister.

PART XV
Miscellaneous

71. (1) There shall be an Arbitration Panel appointed by the Minister to arbitrate cases referred to it under sections 36, 37, 51, 52 and 66 of this Act *Arbitration Panel.*
- Provided that cases referred under sections 51, 52, and 66 shall not be considered by the Panel unless the case was first referred to the District Education Council and the aggrieved party is dissatisfied with the decision of the District Education Council.
- (2) The Minister may make Rules governing the constitution, functions and duties of the Arbitration Panel referred to in subsection (1).
72. (1) The Minister, after joint consultation with the Education Council and the TVET Council may make Rules for the carrying out of the purposes of this Act. *Rules*
- (2) Consultation required under subsection (1) may be in any form the Minister deems fit.
- (3) Rules made under subsection (1) above shall, as soon as they are made, be laid before the National Assembly and shall be subject to negative resolution.
73. On the commencement of this Act, the Education Act, and the Belize Technical and Vocational Education and Training Act shall stand *Repeal and savings CAP. 36*

repealed

Act No. 4 of 2005

Provided that any subsidiary legislation made under any or both of the Acts mentioned in this section shall continue in force until replaced by subsidiary legislation made under each respective Act.

FIRST SCHEDULE
Constitution of the National Council for Education
[Section 9]

1. (1) There shall be a Chairperson, Vice-Chairperson and Secretary of the Education Council. *Composition*
- (2) The Chairperson and Vice-Chairperson shall be elected by members of the Education Council from its membership at its first meeting.
- (3) The Chief Education Officer shall be the Secretary to the Education Council, provided that where the Chief Education Officer is unable to be present at a meeting of the Education Council he shall name an alternate to act as secretary.
- (4) Any vacancy on the Education Council shall be filled by a replacement appointed by the Minister and such a replacement shall be for the rest of the unexpired term of the person replaced and must be from the same category of persons as the former member.
- (5) The Education Council shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.
2. (1) The term of office of the members of the Education Council, other than ex officio members, shall be for three years from the date of appointment but members shall be eligible for reappointment. *Term of office*
- (2) The appointment of a member of the Education Council referred to in section 8 (2), b-h may only be revoked by the Minister on the recommendation of the organization which recommended the appointment of such member.
- (3) Where the appointment of a member of the Education Council referred to in section 8 (2), b-h of this Act is revoked pursuant to subsection 1 (4) above, another member shall be appointed in the same manner as the previous member, and shall hold office for the unexpired term of office of the previous member.

- (4) A member, other than an ex officio member, who absents himself from three consecutive meetings of the Education Council without cause sufficient in the opinion of the Chairperson, shall cease to be a member.
 - (5) The Chairperson may at any time resign his office by informing the Minister in writing of his resignation.
 - (6) Any member of the Education Council may resign his office by informing the Minister in writing through the Chairperson of his resignation.
 - (7) The Minister may terminate the appointment of a member who is incapable of carrying out his responsibility as a member of the Education Council.
3. (1) The Education Council shall meet every three months. At least one meeting annually shall be held jointly with TVET Council. *Meetings*
- (2) Notice of every meeting shall be given and the agenda of the meeting and minutes of previous meeting thereof circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.
 - (3) The Chairperson shall preside over all meetings of the Education Council which he attends and in his absence the Vice-Chairperson shall preside. When both the Chairperson and the Vice-Chairperson are absent from a meeting, the members present shall choose one of their number to act as Chairperson.
 - (4) Eight members of the Education Council shall form a quorum at any meeting.
 - (5) Decisions of the Education Council at meetings thereof shall be taken by the majority of members present and voting.
 - (6) No recommendations of the Education Council or of any committee thereof shall be invalidated on account of any vacancy among the members of the Education Council or such committee.
4. The Chairperson may, at any time, summon a special meeting of the Education Council and must call such a meeting within fourteen days *Special meetings*
- (a) of a request for that purpose addressed to him in writing and signed by five members of the Education Council; or
 - (b) of a direction to that effect addressed to him in writing and signed by the Minister:

Provided that such request shall state the specific purpose for which

the meeting is required to be summoned and that such meeting shall consider only the specific purpose for which it was summoned.

5. (1) Minutes of each meeting shall be kept by the Secretary or such person as the Education Council appoints for this purpose; and must be confirmed at the next regular meeting of the Education Council. *Minutes*
- (2) The Education Council shall keep a minute book in which its proceedings shall be recorded.
- (3) A copy of the confirmed minutes of each meeting shall be forwarded to the Minister as soon as possible after the meeting at which they were confirmed.
6. (1) The Education Council is empowered to appoint standing or ad hoc committees as it deems expedient. *Standing or ad hoc committees*
- (2) Each standing or ad hoc committee shall consist of members appointed by the Education Council from among its members. However, the Education Council can also appoint persons to a standing or ad hoc committee who are not members of the Education Council but have specific expertise.
- (3) The Chairperson of any standing or ad hoc committee formed by the Education Council shall be a member of the Education Council and shall be appointed by the Chairperson of the Education Council.
- (4) The Education Council shall decide on the terms of office, powers and functions of every standing or ad hoc committee it appoints under subsection (1).
- (5) Recommendations of standing or ad hoc committees shall be submitted to Education Council for its review and the Education Council shall then submit such final recommendations to the Minister.

SECOND SCHEDULE

Constitution of The Belize National Council for Technical and Vocational Education

1. (1) There shall be a Chairperson, Vice-Chairperson and Secretary of the TVET Council. *Composition*
- (2) The Chairperson shall be elected by the members of the TVET Council from among the members representing the private sector or a professional group.
- (3) The Vice-Chairperson shall be elected by members of the

TVET Council from its membership at its first meeting.

- (4) The Chief Education Officer shall be the Secretary to the TVET Council, provided that where the Chief Education Officer is unable to be present at a meeting of the TVET Council he shall name an alternate to act as secretary.
 - (5) Any vacancy on the TVET Council shall be filled by a replacement appointed by the Minister and such a replacement shall be for the rest of the unexpired term of the person replaced and must be from the same category of persons as the former member.
 - (6) The TVET Council shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.
2. (1) The members of the TVET Council shall be appointed by the Minister for such period not exceeding three years as may be specified in the instruments appointing them, but shall be eligible for reappointment. *Term of office*
- (2) The appointment of a member of the TVET Council referred to in section 12 (2), b-o of this Act may only be revoked by the Minister on the recommendation of the organization which recommended the appointment of such member.
 - (3) A member, other than an ex officio member, who absents himself from three consecutive meetings of the Education Council without cause sufficient in the opinion of the Chairperson, shall cease to be a member.
 - (4) Where the appointment of a member of the TVET Council referred to in section 12 (2), b-o of this Act is revoked pursuant to subsection 1 (5) above, another member shall be appointed in the same manner as the previous member, and shall hold office for the unexpired term of office of the previous member.
3. (1) The TVET Council shall meet every three months. At least one meeting annually shall be held jointly with Education Council. *Meetings*
- (2) Notice of every meeting shall be given and the agenda of the meeting and minutes of previous meeting thereof circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.
 - (3) The Chairperson shall preside over all meetings of the TVET Council which he attends and in his absence the Vice-Chairperson shall preside. When both the Chairperson and the Vice-Chairperson are absent from a meeting, the members

present shall choose one of their number to act as Chairperson.

- (4) Eight members of the TVET Council shall form a quorum at any meeting.
 - (5) Decisions of the TVET Council at meetings thereof shall be taken by the majority of members present and voting.
 - (6) No recommendations of the TVET Council or of any committee thereof shall be invalidated on account of any vacancy among the members of the TVET Council or such committee.
4. The Chairperson may, at any time, summon a special meeting of the TVET Council and must call such a meeting within fourteen days *Special Meetings*
- (a) of a request for that purpose addressed to him in writing and signed by five members of the TVET Council; or
 - (b) of a direction to that effect addressed to him in writing and signed by the Minister:

Provided that such request shall state the specific purpose for which the meeting is required to be summoned and that such meeting shall consider only the specific purpose for which it was summoned.

5. (1) Minutes of each meeting shall be kept by the Secretary or such person as the TVET Council appoints for this purpose; and must be confirmed at the next regular meeting of the TVET Council. *Minutes*
- (2) The TVET Council shall keep a minute book in which its proceedings shall be recorded.
 - (3) A copy of the confirmed minutes of each meeting shall be forwarded to the Minister as soon as possible after the meeting at which they were confirmed.
6. (1) The TVET Council is empowered to appoint standing or ad hoc committees as it deems expedient. *Standing or ad hoc committees*
- (2) Each standing or ad hoc committee shall consist of members appointed by the TVET Council from among its members. However, the TVET Council can also appoint persons to a standing or ad hoc committee who are not members of the TVET Council but have specific expertise.
 - (3) The Chairperson of any standing or ad hoc committee formed by the TVET Council shall be a member of the TVET Council and shall be appointed by the Chairperson of the TVET Council.
 - (4) The TVET Council shall decide on the terms of office, powers and functions of every standing or ad hoc committee it appoints under subsection (1).

- (5) Recommendations of standing or ad hoc committees shall be submitted to TVET Council for its review and the TVET Council shall then submit such final recommendations to the Minister.

THIRD SCHEDULE

Constitution of The Teaching Service Commission

1. (1) There shall be a Chairman, Vice-Chairman, and Secretary of the Commission - *Composition of Commission*
- (a) the Chairman shall be appointed by the Prime Minister in accordance with section 15 (2) (a) of this Act;
- (b) the Vice-Chairman shall be elected from among other members of the commission who are not ex-officio members;
- (b) the Director of the Commission's Secretariat shall serve as secretary to the Commission, ex-officio; the secretary shall not have a vote.
- (2) Each nominating body shall as soon as possible after the enactment of the Education and Training Act, 2009, furnish to the Prime Minister the names of the persons whom they nominate for appointment under section 15 (2) (b)-(iii)-(ix).
- (3) If any vacancy occurs in the membership of the Commission such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.
- (4) A nominating body may at any time by instrument in writing addressed to the Prime Minister cancel the nomination of any person nominated by it.
- (5) Whenever pursuant to sub-paragraph (3) and (4) above the occasion requires, the nominating body shall submit to the Prime Minister the name of an additional person in place of any person whose nomination has been cancelled.
- (6) The names of all members of the Commission as first constituted and every change in the membership thereof shall be published in the Gazette.

- (7) The Commission shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.
2. (1) Subject to the provisions of this Schedule, a member of the Commission shall hold office for a period of three years and each member shall be eligible for reappointment; however, in no case shall any member be eligible for reappointment for more than two consecutive terms. *Term of office*
- (2) Subject to the provisions of sub-paragraph 1 (3) and (5) of this schedule, the office of a member of the Commission shall become vacant-
- (a) at the expiration of three years from the date of his appointment or such earlier time, being not less than two years, as may be specified in the instrument by which he was appointed;
 - (b) if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such; or
 - (c) if the chairman, or any member of the Commission, submits his resignation in writing to their nominating body and to the Prime Minister and from the date of the receipt by the Prime Minister of such instrument such member shall cease to be a member of the Commission.
- (3) A member of the Commission may be removed from office only for inability to perform the functions of his office (whether arising from infirmity of mind or body or from any other cause) or for misbehaviour, and shall not be so removed except in accordance with the provisions of this sub-paragraph and sub-paragraphs (4) and (6) immediately preceding.
- (4) A member of the Commission may be removed from office if the question of the removal has been referred to the Belize Advisory Council by the Prime Minister in accordance with the next following sub-paragraphs:
- (a) The Belize Advisory Council shall sit in tribunal in the manner provided for in section 54 of the Constitution; and
 - (b) The Belize Advisory Council shall enquire into the matter and report on the facts thereof to the Governor-General whether that member should be removed under this section.
- (5) If the question of removing a member of the Commission from office has been referred to the Belize Advisory Council under the preceding subsection, the Prime Minister may suspend the member from performing the functions of his office, and any such suspension may at any time be revoked by the Prime

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Minister and shall in any case cease to have effect if the Belize Advisory Council advises the Prime Minister that the member should not be removed from office.

- (6) There shall be paid to the chairman and other members of the Commission such remuneration, if any (whether by way of salaries or travelling or other allowances) as the Prime Minister may determine.
3. (1) The Prime Minister on the application of any member of the Commission may grant to such member leave of absence for any period not exceeding six months and may appoint some other person to act as a member during the period of leave of absence so granted: *Leave of absence*
 - (2) Provided that where leave of absence is granted to a nominated member, a person nominated by the nominating body concerned in accordance with the provision of sub-paragraph 1 (4) above shall be appointed to act.
4. (1) The Commission shall meet at least once every month and at such other times as may be necessary or expedient for the transaction of business and such meetings shall be held at such places and times and on such days as the Commission may determine. *Meetings*
 - (a) In the case of the absence or inability of the chairman to act, the vice-chairman shall exercise the functions of the chairman.
 - (b) The chairman or, in the case of the absence or inability of the chairman to act, the vice-chairman shall preside at the meetings of the Commission, and when so presiding the chairman, vice-chairman shall have a casting vote.
- (2) Subject to the provisions of this Schedule the Commission may regulate its own proceedings.
- (3) The Chairperson may provide for a Recording Secretary who shall be responsible for the minutes of all meetings of the Commission and who shall liaise with the Secretary to finalize the agenda for meetings, and ensure that notice of and documents relevant to the business of meetings are circulated as required.
- (4) The quorum of the Commission shall be six voting members including the chairman or the vice-chairman.
- (5) The decision of the Commission or of a committee appointed by it shall be by a majority of votes of the members present and voting and forming a quorum and in addition to an original vote the chairman or any person presiding at a meeting shall have a

casting vote in any case in which the voting is equal.

- (6) The validity of any proceedings of the Commission shall not be affected by any vacancy amongst the members of the commission or by any defect in the appointment of a member thereof.
 - (7) Notwithstanding anything to the contrary no act done or proceeding taken under this Act by the Commission shall be questioned on the ground of any omission, defect or irregularity not affecting the merits of the case.
 - (8) No member of the Commission shall be personally liable for any act or default of the Commission done or omitted to be done in good faith in the course of the operation of the Commission.
5. The chairman may at any time call a special meeting of the Commission and shall call a special meeting to be held within seven days of a written request for that purpose addressed to him by any two members of the Commission. *Special meeting*
6. (1) The Commission shall have power to appoint a Disciplinary Committee, an Appointments Committee and such other committees from among its members as it may consider necessary from time to time and each such committee shall, subject to the directions of the Commission, have power to regulate its own proceedings. *Standing or ad hoc committees*
- (2) The Commission may delegate to any committee the power and authority to carry out on its behalf such functions as the Commission may determine so, however, that any such delegation shall be without prejudice to the performance of those functions by the Commission.
- (3) The Chairperson of any standing or ad hoc committee shall present the results of the committee's proceedings to the Commission for a final decision.

FOURTH SCHEDULE

Constitution of the Teaching Service Appeals Tribunal

1. (1) There shall be a Chairperson and Secretary of the Tribunal - *Composition of Tribunal*
- (1) the Chairperson and other members shall be appointed by the Prime Minister in accordance with section 20 of this Act;
 - (2) Each nominating body shall as soon as possible after the enactment of the Education (Amendments) Act, 2000, furnish to the Prime Minister the names of the persons whom they

nominate for appointment under section 20 (1)-c.

- (3) A nominating body may at any time by instrument in writing addressed to the Prime Minister cancel the nomination of any person nominated by it.
 - (4) Whenever pursuant to sub-paragraph (3) the occasion requires, the nominating body shall submit to the Prime Minister the name of an additional person in place of any person whose nomination has been cancelled.
 - (5) The names of all members of the Tribunal as first constituted and every change in the membership thereof shall be published in the Gazette.
 - (6) The Tribunal shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.
2. (1) The chairman and other members of the Tribunal shall be appointed by the Prime Minister and shall hold office for such period not exceeding three years, as the Minister shall determine and shall be eligible for reappointment. *Terms of office*
- (2) In the case of the absence or inability to act of the chairman of the Tribunal, the Prime Minister may appoint a suitably qualified person to act temporarily as chairman.
 - (3) In the case of the absence or inability to act of any member of the Tribunal other than the chairman, the Prime Minister may appoint any person to act temporarily in the place of such member.
 - (4) Any member of the Tribunal, other than the chairman, may at any time resign his office by instrument in writing addressed to the Prime Minister and such resignation shall take effect as from the date of the receipt of such instrument by the Prime Minister.
 - (5) If any vacancy occurs in the membership of the Tribunal such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.
 - (6) There shall be paid to the chairman and other members of the Tribunal such remuneration whether by way of honorarium, salary or fees and such allowances as the Prime Minister may determine.

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3. (1) The quorum necessary to constitute a sitting of the tribunal shall include the Chairperson and any other two members. *Proceedings of Tribunal*
- (2) Except as otherwise expressly provided in this Act, the Tribunal may regulate its procedure and proceedings as it thinks fit.
4. (1) The decision of the Tribunal shall be by a majority of votes of the members present and voting and, in addition to an original vote, the chairman shall have a casting vote in any case in which the voting is equal. *Decisions of Tribunal*
- (2) The Tribunal shall make its award without delay and where practicable within twenty-one days from the date of reference.
- (3) An award on any matter referred to the Tribunal for settlement may be made retroactive to such date not being earlier than the date on which the dispute or question to which the award relates first arose.
- (4) The decision of the Tribunal as to the date on which the dispute arose shall be final.
- (5) Where any question arises as to the interpretation of any award of the Tribunal, any party to the award may apply for a decision on such question and the Tribunal shall decide the matter after hearing the parties or without such hearing if the consent of the parties has been first obtained.
- (6) The decision of the Tribunal referred to in subsection (4) shall be notified to the parties and shall be binding in the same manner as the decision in an original award.

FIFTH SCHEDULE

Constitution of the Belize Board of Teacher Education

1. (1) There shall be a Chairperson, Vice-Chairperson, and Secretary to the BBTE. *Composition of Board*
- (2) The Director of the Teacher Education and Development Unit shall serve as Secretary to the BBTE.
- (a) The Chairperson, Vice-Chairperson and Recording Secretary shall be elected by members of the BBTE from its membership at its first meeting.
- (b) A member representing the Ministry or the institutions approved by the Ministry to provide teacher training programs, services and/or courses in Belize shall not be deemed eligible for election as the Chairperson of the

BBTE.

- (3) An elected officer may at any time resign office by informing the Chief Education Officer, through the Chairperson, in writing of his/her resignation.
- (4) In the event of the resignation of an officer from the Board, the vacant position on the BBTE shall be first filled in accordance with these rules of procedures and elections then held at the first possible meeting after that to fill the vacant office.
2. (1) The term of office of the members of the BBTE, other than the four ex-officio members and the two members collectively selected by those institutions approved by the Ministry to provide teacher training programs, services, and/or courses in Belize, shall be for three years from the date of appointment. Reappointment of members shall not be automatic and in any case such appointment shall not exceed six consecutive years. *Terms of office*
- (2) The term of office of the two members collectively selected by those institutions approved by the Ministry to provide teacher training programs, services and/or courses in Belize, shall be on a rotational basis, each for a period not exceeding one year.
- (3) A normal term of office shall begin on May 1.
- (4) The membership of a representative may be rescinded at any time by the respective nominating institution/agency.
- (5) An institution/agency shall nominate a substitute if a member of the BBTE is unable to carry out his/her duties.
- (6) In the event that a named representative is unable to continue serving in his capacity as member of the BBTE, the nominating institution/agency shall advise the Chief Education Officer through the Chairperson, of the member's resignation and of his replacement.
- (7) The Chairperson may ask a nominating institution/agency to appoint another representative to the BBTE if the respective member has been substituted for or absent from three (3) consecutive meetings. Such appointment shall be for the remainder of the term of office of the member who is being replaced.
3. (1) The Chairperson shall guide the process of providing oversight on matters related to the quality of teacher education in Belize and in this capacity shall be responsible for spearheading the formulation of such policies, procedures and regulations for consideration by the BBTE. *Power and functions of Chairperson*

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- (2) The Chairperson shall preside over all meetings of the BBTE which he attends and in his absence, the Vice-Chairperson shall preside.
- (3) The Chairperson, with the assistance of the Secretary, shall ensure that all members and standing and ad hoc committees of the BBTE are performing effectively in accordance with their terms of reference.
4. (1) The Secretary, under the direction of the Chairperson, shall guide the process of providing oversight regarding managing the delivery of teacher education in Belize with respect to policies, procedures, and regulations, and in this capacity shall be responsible for spearheading the formulation of such policies, procedures and regulations for consideration and endorsement by the BBTE. *Power and functions of Secretary*
- (2) The Secretary shall be the primary liaison between the BBTE and the Teacher Education and Development Unit
- (3) The Secretary shall provide the BBTE with the necessary documentation relating to all teacher education matters and shall ensure that the appropriate reports arising from working sessions of the BBTE are properly prepared and circulated to the respective persons.
5. (1) The Recording Secretary shall be responsible for the minutes of all meetings of the BBTE. *Duties of the Recording Secretary*
- (2) The Recording Secretary shall liaise with the Secretary to finalize the agenda for meetings of the BBTE and shall ensure that notice of and documents relevant to the business of meetings are circulated as required.
6. (1) The BBTE shall meet on a quarterly basis. *Meetings*
- (2) The Secretary shall ensure that notice of every meeting be given and the agenda of the meeting and minutes of previous meeting thereof circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.
- (3) Six voting members of the BBTE shall form a quorum at any meeting, one of whom must be the Chairperson or Secretary of the BBTE.
- (4) Decisions of the BBTE at meetings thereof shall be taken by the majority of members present and voting. All members of the BBTE shall have one vote, including the ex-officio members. In the event of a tie, the Chairperson shall have the casting vote.

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- (5) No act or proceedings of the BBTE or of any committee thereof shall be invalidated on account of any vacancy among the members of the BBTE or such committee.
7. (1) The Chairperson may, at any time, summon a special meeting of the BBTE and must call such a meeting within fourteen days of a: *Special meeting*
- (a) request for that purpose addressed to him in writing and signed by five members of the BBTE;
 - (b) request for that purpose addressed to him in writing by the Executive Secretary; or
 - (c) directive to that effect addressed to him in writing and signed by the Chief Education Officer.

Provided that such request shall state the specific purpose for which the meeting is required to be summoned and that such meeting shall consider only the specific purpose for which it was summoned. Notice of such a meeting, stating the purpose of the meeting, is to be circulated no later than seven full days prior to the meeting.

8. (1) Minutes of each meeting shall be kept by the Recording Secretary or in his/her absence, such person as the BBTE appoints for this purpose; *Minutes*
- (2) The Recording Secretary shall ensure that the minutes of the BBTE meetings are documented, prepared and distributed to members; and must be confirmed at the next regular meeting of the BBTE; the Chairperson of the said regular meeting shall sign and date the official copy of the minutes after confirmation.
- (3) The Executive Secretary shall forward a copy of the confirmed minutes of each meeting to the Chief Education Officer as soon as possible after the meeting at which they were confirmed.
- (4) It shall be the responsibility of each member of the BBTE to maintain a file of minutes and other records of the BBTE and to ensure that these are appropriately conveyed to his supervisor and successor of the institution or agency he represents.
9. (1) The BBTE is empowered to appoint standing or ad hoc committees as it deems expedient. *Standing or ad hoc committees*
- (2) Each standing or ad hoc committee shall consist of members appointed by the BBTE from among its membership. However, the BBTE can also appoint persons to a standing or ad hoc committee who are not members of the BBTE but have specific and/or relevant expertise.

- (3) The chairperson of any standing or ad hoc committee formed by the BBTE shall be a member of the BBTE and shall be appointed by the Chairperson of the Board.
- (4) The BBTE shall decide on the terms of office, powers and functions of every standing or ad hoc committee it appoints.
- (5) Decisions of standing or ad hoc committees shall be taken by a majority of members present and voting.

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