

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

CHAPTER 145

THE EDUCATION ACT

Arrangement of Sections

Section

1. Short title.
2. Interpretation.

GENERAL

3. Exercise of powers.
4. Responsibilities of Minister.
5. Powers of the Minister.
6. System of public education.
7. Prohibition of discrimination.
8. Power to establish a National Advisory Council.
9. Powers of the Advisory Council.

ESTABLISHMENT OF SCHOOLS

10. Categories of Schools.
11. Public School System.
12. Duty to provide public Schools.
13. Responsibilities of Chief Education Officer.
14. Responsibilities of Head teachers.
15. Use of government school buildings.

ADMISSION OF PUPILS

16. Requirements for admission.
17. Refusal of admission.
18. Registration of pupils.
19. Transfer of pupils.
20. Infectious diseases.
21. Re-admission of pupil on production of Medical Certificate.
22. Temporary closure of School for reasons of health.
23. Suspension of pupils.

24. Suspension or expulsion of pupils from private schools.
25. Examinations for admission to public secondary schools.
26. Record books and cards.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

ATTENDANCE OF PUPILS

- 27. Number of sessions.
- 28. Conditions of attendance.
- 29. Duration of school year.
- 30. Vacation in schools.
- 31. Occasional holidays.

DISCIPLINE OF PUPILS

- 32. Corporal punishment.

RELIGIOUS INSTRUCTION

- 33. Lord's Prayer and portion of Scripture to be read.

PRIVATE SCHOOLS

- 34. Register of Private schools.
- 35. Private schools to be registered.
- 36. Cancellation of registration.
- 37. Returns.
- 38. Offences in respect of returns.
- 39. Minister or his representative may visit private schools and make enquiries.

GRANTS TO PRIVATE SCHOOLS

- 40. Assistance from public funds.
- 41. Registers to be kept.
- 42. Conditions of grants to private schools.

COMPULSORY EDUCATION

- 43. Compulsory education age.

COMPULSORY SCHOOL ATTENDANCE
AND INSPECTION

- 44. Duty of parents to secure the education of their children.
- 45. When attendance is excused.
- 46. Appointment of Education Officers.
- 47. Responsibility of Education Officer.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

- 48. Powers of officers.
- 49. Enforcement of compulsory school attendance.
- 50. Liability of parent.
- 51. Institution of proceedings.

SCHOOLS FOR FURTHER EDUCATION

- 52. Existing technical institutes.

TEACHERS COLLEGE

- 53. Improvement of Teachers Training College.
- 54. Power to enter into agreements with U.W.I.

INSPECTION AND REPORTS

- 55. Inspection.
- 56. Reports by Education Officers.
- 57. Inspection by Medical Officers.
- 58. Assistance to be given by Head teacher.

REGISTERS, RECORDS, etc.

- 59. Records to be kept.
- 60. Attendance registers.
- 61. Log Book.

SCHOOL BUILDINGS

- 62. Specification of school.

MISCELLANEOUS

- 63. Public school to conform to standards required.
- 64. Power to make regulations.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

EDUCATION

(4th April, 1973.)

7/1973.

1. This Act may be cited as the Education Act.

Short title.

2. In this Act-

“Advisory Council” means the National Advisory Council which may be established by the Minister pursuant to section 8;

Interpretation.

“assisted” in relation to a school means assisted by a grant or any form of assistance made from public funds;

“comprehensive school” means a school intended for providing all the secondary education facilities needed by the children of a given area;

“guardian” includes any person who has the legal or actual custody of a child;

“Minister” means the Minister responsible for Education;

“parent” includes guardian;

“primary school” means a school for the provision of primary education for pupils up to the age of twelve years;

“remuneration” means pay and allowances; “school” means an institution approved by the Minister for the education of children;

“secondary school” means a school for the provision of secondary education within the meaning of section 11(1) (c);

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

Exercise of powers.

"teacher" means a person registered for employment as such in any Government or assisted school or in any private school, on the register of teachers kept by the Ministry of Education.

GENERAL

3. The powers conferred on the Minister by this Act shall be exercised so as to ensure:-

Responsibilities of Minister.

(a) the establishment of a system of education designed to provide adequately for the planning and development of an educational service relating to the changing needs of the community;

(b) the effective execution of the education policy of the Government.

4. (1) The Minister is responsible for securing the purposes set out in section 3 and for the proper administration of the provisions of this Act, and in the exercise of the powers conferred on him by the Act, the Minister may do such things as are necessary or convenient for the purpose of carrying out his responsibilities under this Act.

(2) In addition to the several duties imposed on the Minister by this Act, the Minister shall be responsible for-

(a) devising a system of education calculated as far as possible to ensure that the education and vocational abilities, aptitudes and interests of the children find adequate expression and opportunity for development;

Powers of the Minister.

(b) conducting, establishing, managing, maintaining and assisting schools in accordance with regulations to be made by him from time to time;

(c) conducting education for youths and adults.

5. For the purpose of the performance of his responsibilities under this Act the Minister may-

(a) require the attendance of children of compulsory school age at schools established and conducted under this Act;

(b) regulate the operation of private schools;

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

(c) make provision for the professional training of teachers for the entire system of public education and lay down standards which are necessary for the recruitment of teachers, their training and conditions of service;

(d) constitute committees or other bodies to advise him from time to time on educational and related matters;

(e) prescribe curricula, textbooks and practices in all public schools so as to ensure conformity with national standards of education;

(f) do all such other things as may be found expedient from time to time for the carrying out of his responsibilities for education and training.

6. (1) The system of public education shall be organised in three stages, that is to say-

System of public education.

(a) primary education which shall consist of full time education suitable to the requirements of junior pupils;

(b) secondary education, which shall consist of full time education suitable to the requirements of senior pupils who are under the age of twenty years;

(c) further education, which shall consist of-

(i) full time education beyond secondary education or in addition to it;

(ii) part-time education;

(iii) leisure time occupation in organised cultural training and recreative activities available) n pursuance of any provision made under this Act for pupils who have attained the age of sixteen years.

(2) In addition to the three 'stages of public education mentioned in subsection (1), there may be provided special schools suitable to the requirement of pupils who are deaf, dumb, retarded or otherwise handicapped.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

Prohibition of discrimination.

7. No person shall be refused admission to any public school on account of the religious or political persuasion race or social status of such a person or his parents.

Power to establish a National Advisory Council.

8. (1) The Minister may establish a National advisory Council for the purpose of advising him as to the performance of any of his responsibilities under this Act.

(2) The Advisory Council shall comprise of such number of members as the Minister may determine, appointed from among persons representing-

(a) representatives of the Antigua Union of Teachers;

(b) expert educational opinion; (c) religious denominations;

(d) organisations concerned with-

(i) community development;

(ii) business;

(iii) such areas of national affairs as the Minister considers appropriate.

Powers of the Advisory Council.

(3) The Advisory Council may advise the Minister on any matter connected with education as it thinks fit and upon any other question referred to it by the Minister.

9. (1) In a case where the Advisory Council thinks it desirable or expedient to do so, it may, with the approval of the Minister, before advising and reporting to the Minister on any matter concerning the promotion of education, appoint one or more of their number to hold, or if they think it advisable, themselves hold, such public inquiry into the matter as they may think fit; and when one or more members of the Advisory Council are appointed to hold an inquiry they shall make a report to the Advisory Council.

(2) In a case where the Minister thinks it expedient or proper to do so, he may require the Advisory Council to hold an inquiry respecting any matter affecting the promotion of education, and where he has so required the Advisory Council, it may appoint one or more of their number to hold,

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

or may if they think it advisable themselves hold, such inquiry as is required; and when one or more of the Advisory Council is appointed to hold the inquiry they shall make a report to the Advisory Council.

ESTABLISHMENT OF SCHOOLS

Public Schools

10. (1) For the purposes of this Act the school system shall be organised in two categories to be known as public schools and private schools.

Categories of Schools.

(2) Subject to the provisions of this section a public school is a school maintained at public expense to which the general public has access without any condition, other than those required or authorised by this Act and any regulations made thereunder.

(3) A Government school is a public school wholly owned by government.

(4) A private school is a school provided and maintained by some person or authority other than the Government.

11. (1) The public school system shall be comprised of such schools as may from time to time be found necessary for the efficient carrying out of the responsibilities of the Minister, and may include-

Public School system.

(a) infant or nursery schools or departments of schools providing education suitable for children under the age of five years;

(b) primary schools or primary departments of schools providing education suitable for children of five to twelve years;

(c) secondary or comprehensive schools providing education suitable for pupils between the ages of twelve and twenty years;

(d) vocational or technical schools or vocational or . technical departments in schools providing education suitable for the needs of craftsmen and technicians;

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

(e) teachers' college for the professional training of teachers for service in the schools of the country;

if) special schools for the education and training of children who are handicapped in such a way as to require special educational facilities for their best development;

(g) any other schools or departments of schools, for the education of youths and adults along suitable courses.

(2) Having due regard to the educational requirements of the pupils residing in any locality and after such consultation as he considers desirable, the Minister may designate or redesignate public schools to fulfil the purposes of education deemed most expedient from time to time.

Duty to provide public Schools.

12. The Minister shall cause to be provided such number of public schools as is in his opinion necessary to secure a sufficient number of school places for children of compulsory school age.

Responsibilities of Chief Education Officer.

13. The Chief Education Officer shall, as respects all public schools, be responsible for the exercise and performance of such powers, duties and functions as are prescribed and in particular-

(a) the supervision, inspection and revision of the programme of education required by the curriculum;

(b) ensuring that school premises, property and stock are protected against improper use;

(c) the submission of reports on matters relating to the discipline of teachers;

(d) the conduct and supervision of courses of induction and training for untrained teachers as well as courses for other teachers;

(e) the observance of the provisions of this Act and any regulations made thereunder pertaining to the conduct of schools;

(f) arranging for the approval of such leave to teachers as may be granted them in accordance with any regulations made under this Act;

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

(g) considering and assessing the confidential reports of teachers;

(h) furnishing such returns as may be prescribed or required at any time by the Minister;

(i) dealing with all other matters of organisation, management and administration as may be referred to him by the Minister;

(j) co-operating with appropriate authorities in the exercise of authorised schemes.

14. Subject to the provisions of this Act and any regulations made thereunder, Headteachers of schools shall be responsible for the day to day management of their schools including-

Responsibilities of Headteachers.

(a) the supervision of the physical safety of pupils; (b) the suitable application of the syllabus in conformity with the needs of the pupils of the school, and the administration of the school's programme;

(c) allocation and supervision of the duties and responsibilities of members of their staff;

(d) the discipline of the school;

(e) teaching;

(j) proper protection of school buildings and other facilities;

(g) the proper use of school equipment and stock; (h) the keeping of proper records; ;

(h) the furnishing of such returns as may be prescribed or required by the Minister;

(i) ensuring the observance of the provisions of this Act and any regulations made thereunder in their respective schools.

15. School buildings belonging to, or rented by, Government may not be used for other purposes or functions except with the written approval of the Chief Education Officer.

Use of government school buildings.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

ADMISSION OF PUPILS

Requirements
for admission.

16. (1) No child shall be admitted as a pupil to a public school which is a nursery school unless he has attained the age of three years or be retained in such a school after he has attained the age of five years.

(2) No child shall be admitted as a pupil to a public school which is a primary school-

(a) unless he shall have attained the age of five years, except with the approval of the Chief Education Officer;

(b) other than in September or January, the beginning of the school year and the calendar year respectively, except with the approval of the Chief Education Officer;

(c) unless at the time of such admission he is accompanied by his parent, guardian or a responsible adult;

(d) unless he brings with him a birth or baptismal certificate giving the information required for the register of pupils;

(e) until his parent or guardian produces a certificate issued by a doctor or the Public Health authorities indicating that the child has been immunised against tetanus, pertussis, polio and diphtheria.

(3) No child shall be admitted as a pupil to a public school which is a secondary or comprehensive school before he has reached the age of twelve years except with the approval of the Chief Education Officer, or be retained in such a school after the end of the school year in which he has attained the age of twenty years.

Refusal of
admission.

17. Subject to the provisions of this Act, no person who is eligible for admission to a public school as a pupil of that institution shall be refused admission thereto except on the authority of the Minister in each particular case.

Registration of
pupils.

18. Immediately upon the admission to a school of a new pupil, the name of such pupil, the date of admission, the name of his parent or guardian, the residence of his parent

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

or guardian, the name of the last school, if any, which the pupil attended, the date of his leaving it as far as it can be ascertained, the standard or form in which he was at the date of leaving, shall be entered in the Admission Register.

19. (1) Save with the Chief Education Officer's approval, a pupil, who having left one school, seeks admission to another shall not be admitted except on presentation of a certificate or a letter of transfer signed by the Headteacher of the last school which he attended.

Transfer of pupils.

(2) A Headteacher shall be required to furnish on request every pupil who has left his school with the letter referred to in subsection (1).

(3) Letters of transfer shall be retained by the Headteacher to whom it is addressed and submitted for endorsement by the Education Officer at his next visit.

20. No pupil suffering from or exposed to a communicable disease shall be admitted or permitted to remain in any school. The Headteacher shall, immediately on discovery, report all cases of communicable diseases among the pupils of his school to the Chief Education Officer.

Infectious diseases.

21. (1) A pupil who has been refused admission on the ground that he was suffering from or exposed to a communicable disease, shall not be readmitted except upon production of a Medical Certificate to the effect that such pupil is free from such disease and is unlikely to be a source of infection to other persons in the school.

Re-admission of pupil on production of Medical Certificate.

(2) The Medical Certificate required by subsection (1) shall be delivered free of charge by any Government Medical Officer issuing the same.

22. The Minister may authorise either the closure of any school or of any department of a school for a specific period to prevent the spread of disease.

Temporary closure of School for reasons of health.

23. (1) It shall be lawful for the Headteacher of any public school to suspend from attendance any pupil who on account of gross misconduct may be considered injurious or dangerous to members of staff and/or to other pupils or

Suspension of pupil.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

whose attendance at school is likely to have an adverse effect upon the good order and proper discipline of the school, provided that no such suspension shall exceed two weeks.

(2) Where any pupil is suspended from attendance under subsection (1)-

(a) the Headteacher of the school shall immediately notify the parent of the pupil and the Chief Education Officer of the suspension and the reasons for the same;

(b) the Chief Education Officer may, after the receipt of notification-

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

(ii) order the reinstatement of the pupil, after due investigation and if the circumstances warrant this, on a date to be fixed by him;

(iii) order the removal of the pupil to another school including a special school;

(iv) order the expulsion of the pupil with the approval of the Minister.

Suspension or
expulsion of
pupils from
private schools.

24. Where a child of compulsory school age is suspended or expelled from a private school, the Headteacher of that school shall immediately notify the Chief Education Officer setting out the reason.

Examinations
for admission to
public
secondary
schools .

25. (1) Until a comprehensive school is set up in an area the Minister shall cause examinations to be conducted for the purpose of determining the eligibility of pupils for admission to public secondary schools.

(2) When a comprehensive school is erected in an area, the Minister shall discontinue examinations for the purpose of ascertaining the eligibility of pupils for admission to a public secondary school. On reaching the age of twelve years at 31st March or in the same year the pupil shall be transferred from the primary school to the comprehensive school in the area.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

26. (1) Each child upon being admitted to a secondary or comprehensive school shall be assigned a personal Record Book or Card.

Record book. and card

(2) The Book or Card is the property of the school and shall be retained by the Headmaster after the pupil has completed his or her schooling. In the event of a transfer, the pupil's record book or card shall be sent to his new school.

(3) Notwithstanding that the pupil's record book or card is made available to his parents or guardian at the end of every term, a parent may at any reasonable time go to a school to examine the Record Book or Card of his child.

(4) Every pupil or parent of such pupil shall be entitled upon application to a copy of such Record Book or Card upon payment of the prescribed fee.

ATTENDANCE OF PUPILS

27. The total number of sessions in each school in any year shall be not less than three hundred and eighty.

Number of sessions.

28. Attendance shall not be reckoned for any pupil(a) until his name has been duly entered -in the Admission Register;

Conditions of attendance.

(b) unless he is present at roll-call and remains in school thereafter for at least two hours instruction except where he is prevented by illness or other emergency, or, in the case of a pupil in the Infant Department of a primary school, such shorter period as the Minister may approve

29. The school year shall begin on the 1st September

Duration of school year.

and end on the 31st August, and shall be divided into three terms the duration of each of which shall be thirteen weeks.

30. (1) Subject to section 29, the vacation periods to be observed in schools are as follows:-

Vacation in schools.

(a) three weeks at the end of the first term of the school year;

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

(b) two weeks at the end of the second term of the school year;

(c) eight weeks at the end of the third term of the school year.

(2) The Minister may authorise a change in any of the above mentioned periods for any good reason.

Occasional
holidays.

31. (1) There shall be no sessions of school on Saturdays, Sundays and public holidays.

(2) Where Headteachers wish for whatever reason to give a holiday to their school, prior permission must first be sought from the Chief Education Officer in writing.

(3) Any holiday, which on account of local circumstances, may be granted by the Headteacher, shall be reported to the Chief Education Officer as soon as the necessity for closing the school arises.

DISCIPLINE OF PUPILS

Corporal
punishment.

32. (1) In the enforcement of discipline in schools degrading and injurious punishment shall not be administered.

(2) Corporal punishment may be administered as a last resort by the Headteacher only or by his deputy, or by a teacher in his presence, under his direction and on his responsibility.

(3) Corporal punishment where necessary should be administered to a girl preferably by a female teacher and in the presence of the Headteacher. Such punishment shall not be administered in public.

(4) Whenever corporal punishment is administered, an entry shall be made in the Punishment Book, with a statement of the nature and extent of the punishment and the reason for administering it.

(5) Such other forms of punishment as may be approved by the Chief Education Officer may be administered as occasion arises.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

RELIGIOUS INSTRUCTION

33. P) In every public school the Lord's Prayer shall, every morning on which the school is in session, be publicly repeated at the opening of the school by the Headmaster or his deputy and a portion of the Holy Scriptures may be read daily without comment. Any pupil however may be withdrawn by his parents from such instruction or observance without forfeiting any of the other benefits of the school.

Lord's Prayer and portion of Scripture to be read.

(2) No child shall be required as a condition of admission into, or continuing in, a public school-

(a) to attend or abstain from attending any place of religious worship; or

(b) to attend any religious observance or any instruction in religious subjects in the school or elsewhere from which observance or instruction he may be withdrawn by his parents; or ,

(c) to attend school on any day specially set apart for religious observance by the religious body to which the parent belongs.

PRIVATE SCHOOLS

34. The Minister shall cause to be kept in such manner as may be prescribed, a Register of Private Schools referred to in this Act as "the Register".

Register of Private schools.

35. (1) Subject to the provisions of this Act, no person shall keep or continue to keep a private school unless the school and the proprietor are registered in the Register.

Private schools to be registered.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding three hundred dollars and in the case of a second or subsequent offence to a fine not exceeding. seven hundred and fifty dollars.

36. (1) If in the opinion of the Minister a private school which is on the Register has ceased to be conducted. in accordance with the requirements of this Act and any Regulations made thereunder the Minister may where no *bona fide* action has been taken to rectify the deficiencies within

Cancellation of registration.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

such time as he may' allow, cancel the registration of the school upon giving three months notice thereof to the proprietor.

(2) A proprietor upon receipt of the notice of cancellation of the registration of this school under this section may, at any time before the date on which the cancellation takes effect, appeal in the prescribed manner to a Judge of the High Court in Chambers against cancellation.

Returns.

37. (1) In the month of September in each year every proprietor of a private school shall furnish the Minister with a return in respect of the previous school year containing the following particulars:-

(a) the number of sessions during which the school was opened;

(b) the number of pupils on roll at the end of the school year;

(c) the average attendance for the school year; (d) the percentage of attendance of the total possible attendances for the pupils on roll.

(2) Whenever there is any change in the ownership of the school or its location, or any modification in respect of any of the prescribed particulars, the proprietor shall forthwith furnish the Minister with a supplemental return containing the correct particulars.

(3) If a private school remains closed for a longer period than thirty consecutive days (except for regular holidays) the proprietor shall furnish the Minister with a supplemental return giving the reasons for the closing of the school and the period the school is likely to remain closed, and if subsequently the proprietor desires to reopen such a school a new return shall be furnished to the Minister before such a school is reopened. The registration of a private school that remains closed for longer than a period of one year shall be deemed to have been cancelled.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

38. A proprietor of a school who-

Offences in respect
of returns

(a) fails to furnish returns required by this Act or any Regulations made thereunder and in the manner so required or,

(b) furnishes a return which he knows or ought reasonably to have known to be false or misleading; is guilty of an offence and is liable on summary conviction to a fine not exceeding three hundred dollars and in case of a second or subsequent offence to a fine not exceeding seven hundred and fifty dollars.

39. (1) The Minister or any public officer deputed by him to act as his representative may with the consent of the proprietor (which consent shall not be unreasonable withheld) enter any premises wherein a private 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 on him by this Act or by any Regulations made thereunder.

Minister or his
representative may
visit private school
and make enquiries.

(2) Any person who-

(a) wilfully makes any false representation to the Minister or any such officer; or

(b) wilfully refuses to furnish the Minister or any such officer with any information which such person may be required to furnish by this Act or any Regulations made thereunder is guilty of an offence and liable, on summary conviction, to a fine of one hundred and fifty dollars.

GRANTS TO PRIVATE SCHOOLS

40. Subject to the provisions of this Act and to any Regulations made thereunder, any private school may on application being made by the body by which such school is maintained receive such aid from public funds as may be provided by Parliament.

Assistance from
public funds.

41. (1) There shall be kept in respect of every private school such registers as may be required by the Minister and such registers shall be produced for inspection when required by the Minister or his representative.

Registers to be kept.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

(2) A detailed statement of the finances of such school including fees received, individual salary of teachers, and/or board members, in respect of the previous year ending the 31st August shall be submitted before the 30th day of September in each year.

Conditions of grant to private schools.

42. No grant shall be made to any private school(a) in respect of which there has been a failure to comply with the requirements of this Act or any Regulations made thereunder;

(b) unless the grant to such school shall be required for educational purposes;

(c) which the Minister considers unnecessary; (d) which is maintained for the financial benefit of an individual or any group of individuals.

COMPULSORY EDUCATION

Compulsory education age.

43. (1) In this Act, the expression "compulsory school age" means any age between five and sixteen years and accordingly a person shall be deemed to be of compulsory school age if he has attained the age of five years and has not attained the age of sixteen years, and a person shall be deemed to be over the compulsory school age as soon as he has attained the age of sixteen years.

(2) Notwithstanding the provisions of subsection (1) the Minister, if he is satisfied that it has become necessary or expedient to raise the upper limit of the compulsory school age, may do so by Order, subject to an affirmative resolution of Parliament.

(3) A person who employs a child of compulsory school age during the school hours is guilty of an offence and on summary conviction liable to a fine not exceeding three hundred dollars.

(4) If a corporation contravenes subsection (3), in addition to the corporation, every director and officer of the corporation who authorises, permits or acquiesces in the contravention is guilty of an offence and on summary conviction is liable to the same penalty as the corporation.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

**COMPULSORY SCHOOL ATTENDANCE
AND INSPECTION**

44. Subject to the provisions of section 45 it shall be the duty of the parent of every child of compulsory school age to cause him to receive efficient full-time education suitable to his age, ability and aptitude by regular attendance at school.

Duty of parents to secure the education of their children.

45. A child is excused from attendance at school(a) if in the opinion of the Minister, he is receiving satisfactory instruction at home or elsewhere;

When attendance is excused.

(b) if he is unable to attend school by reason of illness or other unavoidable cause;

(c) if he is excluded from attendance at school under any Act or under any Regulations made under this Act;

(d) if he is absent temporarily in accordance with any Regulations made under this Act.

46. Education Officers shall be appointed for specified districts prescribed by the Minister.

Appointment of Education Officers.

47. An Education Officer has jurisdiction and shall be responsible for the enforcement of compulsory school attendance in respect of all children of compulsory school age in any district.

Responsibility of Education Officer.

48. (1) An Education Officer may at the request of the parent apprehend without warrant and deliver to the school from which he is absent or to his parent, any child found illegally absent from school.

Powers of officers.

(2) An Education Officer shall report monthly to the Chief Education Officer.

(3) An Education Officer shall: perform his duties under the direction of the Chief Education Officer and shall, subject to the supervision of the Chief Education Officer, carry out all instructions and directions.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

Inquiry by an officer and notice.

(4) An Education Officer shall inquire into every case of failure to attend school within his knowledge or when requested to do so by the Chief Education Officer or the Headteacher of a school, and shall give written warning of the consequences of such failure to the parent of a child who is not attending school as required, and shall also give written notice to the parent to cause the child to attend school forthwith.

Enforcement of compulsory school attendance.

49. Every Headteacher of a public or private school shall-

(a) report in accordance with any regulations made under this Act to the proper Education Officer, the names, ages and residences of all pupils of compulsory school age who have not attended school as required.

(b) furnish the Education Officer with such other information as the officer requires for the enforcement of compulsory school attendance;

(c) report to the Education Officer every cause of suspension and expulsion.

Liability of parent.

50. (1) A parent of a child of compulsory school age, who neglects or refuses to cause the child to attend school is, unless the child is legally excused from attendance, guilty of an offence and on summary conviction is liable to a fine not exceeding one hundred and fifty dollars.

Bond for attendance.

(2) The Magistrate may, instead of imposing a fine, require a person convicted of an offence under subsection (1) to give a bond in the sum of three hundred dollars, with one or more sureties to be approved by the Magistrate, on condition that the person shall, after the expiration of five days, cause the child to attend school as required.

Institution of proceedings.

51. (1) Prosecutions under section 50 may be instituted by the Education Officer concerned.

(2) In prosecutions under section 50, a statement as to the attendance or non-attendance at school of any child, signed or purporting to be signed by the Headteacher of the school, shall be prima facie evidence of the facts stated therein.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

SCHOOLS FOR FURTHER EDUCATION

52. Every school established as a technical institute or an institute for technical education existing at the commencement of this Act shall be deemed to have been established as a technical institute under this Act.

Existing technical institutes.

TEACHERS' COLLEGE

53. For the purpose of ensuring the better education and training of teachers, the Minister may, after such consultation as he considers desirable, take whatever steps necessary to maintain and improve standards at the existing teachers' Training College.

Improvement of Teachers Training College.

54. The Minister may, on behalf of the Government enter into agreements with the University of the West Indies-

Power to enter into agreements with U.W.I.

(a) for the use of such facilities provided by the University for continuation or extension courses for teachers;

(b) for associating and co-ordinating the facilities and programme of any teachers' college with those of the University;

(c) for establishing standards for certification and recognition of qualifications of teachers;

(d) for the promotion of Community Development, Education and Adult Education.

INSPECTION AND REPORTS

55. Public schools shall be open at all times during school hours to inspection by the Minister or any office, authorised by him. The inspecting officers will judge the efficiency of the instruction and the proficiency of the pupils by oral and written tests given on the occasion of their visits.

Inspection.

56. Education Officers shall report on schools as required by the Minister. A copy of every inspection report and of every general report shall be sent to the Chief Education Officer.

Reports by Education Officers.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

Inspection by
Medical
Officers.

57. A School Medical Officer, or his deputy, shall have the right to enter and inspect the premises of any school during school hours with or without notice. The medical examination of pupils, however, shall be arranged beforehand between the School Medical Officer and the Headteacher of the school concerned. '

Assistance to be
given by
Headteacher.

58. The Headteacher of every school shall give such assistance and facility to any officer visiting a school for the purpose of such inspection or examination, as he may require.

REGISTERS, RECORDS etc.

Records to be
kept.

59. In every school the following registers and records shall be kept and produced for the inspection of the Minister or any duly authorised officer of the Ministry of Education-

- (a) the Admission Register;
- (b) the class attendance register;
- (c) the log book;
- (d) the teachers' attendance register;
- (e) the inventory and stock book;
- (f) the visitors' book;
- (g) a copy of this Act and any Regulations made thereunder;
- (h) the approved timetable;
- (i) such circulars as the Minister may from time to time direct;
- (j) the punishment book;
- (k) such records as may be prescribed by the Minister on the recommendation of the School Medical Officer.

Attendance
registers.

60. The attendance register shall be marked at each session of a school at the time specified in the approved timetable, and at no other time. In marking the register there shall be no blanks left, no erasures made and the instructions for calling and marking the roll shall be strictly observed. The Headteacher shall be generally responsible for the

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

manner in which the registers are kept and for their accuracy. All corrections therein shall be made in the manner prescribed and shall be initialled by him. Each teacher shall be responsible for marking the roll of his class.

61. (1) The Log. Book shall be kept by the Headteacher and in it he shall enter from time to time such factual events without adding any reflections or opinions of a general character, at the introduction of new books, apparatus or courses of instruction; all school holidays and the authority therefore particulars of school journeys or educational visits; absence without approval, illness or unpunctuality or neglect of duty on the part of the members of the staff, and any special circumstances affecting the school that may, for the sake of reference or for any other reason, deserve to be recorded.

Log Book.

(2) Any adverse report on a member of the staff recorded in the Log Book shall be shown to him and initialled by him.

(3) No entry once made in the Log Book shall be erased, removed or altered in any way, except by subsequent entry.

(4) Entries in the Log Book must be treated like official correspondence and must not be communicated to the public.

SCHOOL BUILDINGS

62. (1) The Minister may from time to time, after consultation with the authorities concerned, make such orders relating to the specifications, plans, sites and equipment of school buildings as may in his opinion be appropriate to the requirements of the level of education which it is intended to provide therein.

Specification of school.

(2) No school shall receive aid unless or until the Minister is satisfied that the specification governing school buildings in this Act are complied with.

(3) All public school buildings existing at the commencement of this Act or constructed thereafter shall, while in use, be at all times, maintained in proper sanitary condition and in good repair, and in all respects fit for the purposes of a school.

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

MISCELLANEOUS

Public school to conform to standards required.

63. (1) Every public school shall conform to the standards and comply with such requirements as are prescribed.

Power to make regulations private schools.

(2) The Minister may make regulations for the control and management of private schools and in particular in respect of the following matters-

(a) the size of classrooms and their equipment, the number of children that may occupy each classroom, and the necessary toilet facilities to be provided;

(b) the safety, preservation of health and the prevention of disease among the pupils;

(c) the registers and other records to be kept by the proprietors of private schools and the particulars to be supplied to the Minister by them;

(d) the suitability of premises;

(e) the suitability of the curriculum, courses and methods of instruction;

(f) generally, for more effectively carrying out the provisions of this Act respecting private schools.

Power to make regulations further education.

(3) The Minister may from time to time, make regulations for all or any of the following purposes-

(a) defining the branches of further education, and the subjects to be taught in classes in further education, and the course and the number of hours of instruction and providing for examinations therein;

(b) providing for the manner in which applications for sums payable in respect of classes, scholarships, studies and grants in aid under the provisions of this Act relating to further education shall be made;

(c) providing for the establishment of bursaries in any subject of instruction under the provisions of this Act relating to further education and prescribing the amounts and tenure thereof, and the conditions subject to which they may be awarded and held;

LAWS OF ANTIGUA AND BARBUDA

CAP. 145)

Education

(d) such other matters as he deems necessary in order to give full effect to the intention of the provisions of this Act relating to further education.

Power to make regulations Teachers' Training College.

(4) The Minister may from time to time make regulations for all or any of the following purposes-

(a) providing for the control, organisation, management and conduct of the Teachers' Training College;

(b) providing for the selection of students and for their admission to or continuation in and removal from the Training College;

(c) prescribing the courses and curricula for students at the Training College;

(d) providing for the certification of teachers completing courses of training .

(5) For the purpose of administering any regulations made under paragraph (b) of subsection (4), the Minister shall have power to remove and to exercise disciplinary control over persons admitted to the Teachers' Training College.

64. The Minister may make regulations generally for the purpose of carrying this Act into effect and in particular for prescribing anything that is by this Act required to be prescribed.

Power to make regulations.