

TRINIDAD AND TOBAGO.

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I ASSENT,

[L.S.]

A. C. HOLLIS,
Governor.

14th December, 1933.

AN ORDINANCE relating to Education.

[On Proclamation.]

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance may be cited as the Education Short title.
Ordinance, 1933, and shall come into force on such day as
may be fixed by the Governor by Proclamation.

2. In this Ordinance,

Interpretation

“ Assisted School ” means a school to which a
grant is made from public funds in a manner
provided by this Ordinance.

“ Board ” means the Education Board established
in accordance with the provisions of section 6
of this Ordinance.

[*Price 6d.*]

- “Board of Management” means a Board having the control and management of one or more assisted schools.
- “Department” means the Department of Education.
- “Director” means the Director of Education.
- “Government School” means a school maintained by the Government wholly from public funds.
- “Guardian” includes any person who has the legal or actual custody of a child.
- “Intermediate School” means a school, recognised by the Director as providing a curriculum more advanced than that prescribed for Primary Schools.
- “Manager” means in the case of a Government School a person appointed by the Governor, and in the case of other schools by the Head or Governing Body of a religious denomination or association, to have charge thereof.
- “Primary School” means a school recognised by the Director as providing a curriculum prescribed for Primary Schools.
- “Secondary School” means a school recognised by the Director as providing post-primary instruction in academic, technical, industrial, or commercial subjects.
- “Teacher” means a person registered for employment as such in any Government or Assisted School on the Register of Teachers kept by the Director.
- “Training College” or “Training Institute” means an institution recognised by the Director for the training of teachers.

PART I.

THE DEPARTMENT OF EDUCATION.

Department
of Education.

3. There shall be a Department of Education with a Director at the head thereof, and such other officers as may be appointed by the Governor at such salaries as the Governor, with the consent of the Legislative Council, may from time to time direct.

4.—(1) The Director in consultation with the Board and subject to the approval of the Governor in Executive Council shall make regulations dealing with all matters affecting education in the colony including the following subjects :—

Duties of
Director.

a. Primary Education.

- (i) The establishment, maintenance, and discontinuance of Government and Assisted Intermediate and Primary Schools, their administration and management.
- (ii) The inspection and examination of such schools, and the curriculum and instruction to be given therein.
- (iii) Payment of grants-in-aid to such schools and the conditions under which such payments shall be made.
- (iv) The payment or remission of fees in respect of attendance at Intermediate Schools.

b. Secondary Education.

- (i) The establishment, maintenance and discontinuance of Government and Assisted Secondary Schools, their administration and management.
- (ii) The inspection and examination of such schools and the courses and schedules of studies to be followed therein.
- (iii) Payment of grants-in-aid to Secondary Schools and the conditions under which such payments shall be made. The payment or remission of pupils' fees.
- (iv) The conditions of affiliation of such schools to the Queen's Royal College.
- (v) The award, amount and tenure of exhibitions and the conditions under which candidates shall be examined.

c. Teachers.

- (i) Training of Teachers, their qualifications and payment and the conditions of their employment, including their appointment, transfer, grading and dismissal.

- (ii) The establishment and administration or discontinuance of Government and Assisted Training Colleges for Teachers.
- (iii) Payments of grants to Training Colleges and Hostels and of allowances to students.

d. General.

Generally for the better carrying out of the provisions of this Ordinance.

(2) The Director shall be responsible for the carrying out of such regulations.

Regulations to be approved by Governor and Legislative Council.

5. Regulations made under the last preceding section shall not have any force or effect until they have been approved by the Legislative Council, and when so approved by Resolution shall have the same force and effect as if they were contained in and formed part of this Ordinance.

PART II.

EDUCATION BOARD.

Education Board.

6.—(1) There shall be established a Board to be styled the Education Board and composed of fourteen members, nominated by the Governor, of whom the Director shall be one, and of such persons as may be co-opted by the Board under sub-section (2) of this section.

There shall be at least one Primary School Teacher in active service and one woman member of the Board.

(2) The Board may, with the approval of the Governor, co-opt as members for a stated period not exceeding twelve months, persons with expert knowledge or experience required by the Board in the discharge of its duties.

Provided that the total number of members thus co-opted shall not exceed three.

(3) The period of service on the Board shall be two years in the case of members nominated by the Governor other than the Director.

(4) No act or proceeding of the Board, or of any Committee of the Board, shall be invalidated or questioned on account of any vacancy among the members of such Board or Committee, or of any defect in their appointment.

(5) Every member of the Education Board established under the Education Ordinance, Cap. 127, shall be deemed to be a member of the Board hereby established and shall continue to hold office thereon for the remainder of the period for which he was appointed.

7. The Board shall be primarily a consultative body, ^{Status.} constituted to advise on any grade or type of education that the Governor may include within its scope.

8. The functions of the Board shall be :—

^{Functions.}

- (a) To advise the Governor in regard to educational policy and principles, and to submit its views on any educational question which the Governor may refer to it.

Provided that in the absence of such reference it may draw the attention of the Governor to any aspect of educational policy or administration which in its opinion requires attention.

- (b) To assist the Director of Education in the framing of rules and regulations for the approval of the Governor.

- (c) To advise the Director of Education on any administrative question that he may submit for the Board's opinion.

Provided that, in the absence of such reference it may draw attention to any aspect of administration that, in its opinion, requires attention.

- (d) To undertake such executive duties as the Governor may from time to time impose, either indefinitely or for a stated period.

9. The Chairman of the Board shall be nominated by ^{Chairman.} the Governor. Provided that, in his absence, the Board may elect one of its members as chairman at any meeting.

Business of
the Board.

10.—(a) The Chairman may at any time summon a meeting of the Board and on a requisition signed by any three members he shall summon a meeting.

(b) Such requisition shall state the object for which the meeting is required to be summoned.

(c) Meetings of the Board shall be public except when a majority of the Board shall decide to sit privately.

(d) Five members of the Board shall form a *quorum*.

(e) The Chairman shall have a casting vote as well as an original vote.

(f) The Board shall keep a Minute Book in which their proceedings shall be recorded.

Resignation
and vacation of
membership.

11.—(1) Any member other than the Director may resign his seat on the Board by letter addressed to the Governor.

(2) Any such member as aforesaid who has not, on the thirty-first day of December in each year, attended at least one-third of the meetings of the Board during the preceding twelve months or during his tenure of office in such months, shall be considered to have vacated his seat on the Board, unless he has been absent owing to ill-health or with the leave of the Governor.

(3) In case of the absence on leave or through ill-health of any member of the Board, the Governor may appoint any person similarly qualified to act in his stead.

PART III.

INTERMEDIATE AND PRIMARY SCHOOLS, TEACHERS AND MANAGEMENT.

Classes of
Schools.

12. Intermediate and Primary Schools may be established and maintained in accordance with regulations made under this Ordinance.

There shall be two classes of such schools : Government Schools and Assisted Schools.

Distribution
and grading.

13. The Governor shall have and exercise final authority in regard to (a) the number, distribution, and grading of schools that are maintained by, or that receive assistance from, public funds, (b) their assignment to a particular denomination or association, or to interdenominational management, with reference not only to the

strength of the various churches in the area under consideration, but also to the need for economy and efficiency, and (c) the retention or establishment of Government schools in areas where denominational schools cannot be maintained effectively and economically, or with due regard to the reasonable demands of all sections of the population.

14.—(1) Pupils shall be admitted free to all Government Admission. and Assisted Primary Schools.

(2) Pupils in Government and Assisted Intermediate Schools may be charged such fees as may be prescribed.

15. No applicant shall be refused admission into any Religion, race and language. school on account of the religious persuasion, nationality, race or language of such applicant or of either of his parents or of his guardian.

16.—(1) It shall not be required as a condition of any Conscience Clause. child being admitted into or continuing in an Assisted School that he shall attend or abstain from attending any Sunday school or any place of religious worship, or that he shall 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 parent or guardian, or that he shall attend the school on any day exclusively set apart for religious observance by the religious body to which the parent or guardian belongs.

(2) Religious Instruction may be given only during Religious Instruction hours set apart for the purpose and inserted in the time table, and shall not form part of the school curriculum.

The time during which any religious observance is practised or religious instruction is given at any meeting of an Assisted School shall be either at the beginning or the end, or at the beginning and the end of such meeting, and shall be inserted in a Time Table to be approved by the Director and to be kept permanently and conspicuously affixed in every school-room, and any scholar may be withdrawn by his parent or guardian from such observance or instruction without forfeiting any of the other benefits of the school.

(3) Religious teaching shall not form part of the instruction required to be given at any Government school by any teacher ; but any Minister of Religion, or any person duly deputed by him in writing, shall be authorized to give religious instruction to the children of the religious denomination to which the Minister belongs, at such times and places as may be agreed upon between him and the Director.

Management
of Govern-
ment Schools.

17. The Governor shall appoint such persons as he thinks fit to be Managers of Government Schools and he may in his discretion remove any such Manager at any time.

Management
of Assisted
Schools.

18.— (1) Assisted Schools shall be under the direction of Boards of Management to be appointed by (a) the Head or Governing Body of a religious denomination, or (b) in the case of East Indian Schools by an Association approved by the Governor for the establishment of such Schools.

(2) Such Boards of Management shall appoint, transfer, suspend or dismiss the head and assistant teachers of schools under their direction, and shall deal with all other matters relating to the establishment, organisation and discontinuance of such schools.

(3) The Head or Governing Body of the religious denomination, or in the case of East Indian Schools the Association, in connection with which an Assisted School is conducted, shall further appoint at least two Managers of such school, and shall have power to require the retirement of any such Manager. Provided that the Governor in Executive Council may also require the retirement of any Manager.

(4) The appointment and the retirement of any Manager and of any Member of the Board of Management for an Assisted School shall be notified to the Director by the Head or Governing Body or Association concerned.

(5) No teacher or any person who derives any profit or emolument from any Intermediate or Primary School shall be a Manager of a school. A teacher may, however, be appointed a Member of a Board of Management.

19.—(a) Head and Assistant Teachers in Government Schools shall be appointed, transferred, suspended or dismissed by the Director; provided that they shall be dismissed only on the authority of the Governor. Employment
of Teachers.

(b) Head and Assistant Teachers in Assisted Schools shall be appointed, transferred, suspended or dismissed by the Board of Management, provided that :—

- (1) All appointments, transfers, and dismissals shall be subject to the approval of the Director.
- (2) Where the Board of Management proposes to dismiss a teacher, a statement in writing of the grounds of dismissal shall be served upon him, and he shall be given a reasonable opportunity to be heard in his own defence.
- (3) A statement of the findings of the Board of Management and the reasons for dismissal shall be served upon the teacher by the Board of Management, and shall also be forwarded to the Director.
- (4) The dismissal of a teacher shall on appeal be subject to the approval of the Governor.
- (5) In the case of an appeal, the Governor shall have power not only to consider the procedure leading up to dismissal, but also to enquire into the facts of the case.

PART IV.

SECONDARY SCHOOLS AND TRAINING COLLEGES.

20. Secondary Schools may be established and maintained in accordance with Regulations made under this Ordinance. Secondary
Schools.

21. There shall be two classes of such schools : Government Schools and Assisted Schools. Classes of
Schools.

22. A Government Central Institute and Assisted Training Colleges for the instruction and training of men and women student teachers and Hostels for their accommodation may be established and maintained in accordance with Regulations made under this Ordinance. Training
Colleges.

PART V.

COLONIAL SCHOLARSHIPS.

Colonial
Scholarships.

23.—(1) The Governor in Executive Council may in each year award two scholarships, to be known as the Colonial Scholarship and the Colonial Science Scholarship respectively, not exceeding £800 each in value, to students of the Queen's Royal College or of any Secondary School established and conducted by the Government of the Colony or of any school affiliated to the said College, who shall have passed such examination and shall have satisfied such requirements as may be prescribed by Regulations made by the Governor in Executive Council under this section.

(2) The Director in consultation with the Board and subject to the approval of the Governor in Executive Council may make regulations prescribing the examination to be passed by candidates for each Scholarship. Such regulations shall also prescribe the conditions to be observed by candidates before admission to the examination and shall provide, in the case of the Colonial Science Scholarship, that the subjects of examination shall include some or all of the following subjects, namely, chemistry, physics, zoology, botany, and biology.

Provided that regulations made under this sub-section shall not have any force or effect until they have been approved by the Legislative Council and published in the *Royal Gazette*.

(3) Every student to whom a Scholarship is awarded shall undertake the study of a profession selected by him with the approval of the Governor in Executive Council at a University in the British Empire or at any other approved educational institution or College.

(4) Subject to the provisions of sub-section (1) hereof, scholarships whether awarded prior to or after the 1st January, 1930, shall be of such amount as the Governor in Executive Council may in each case decide. Scholarships awarded after the 1st January, 1930, shall be payable at the rate of two hundred pounds (£200) per annum.

The amount payable shall be paid in advance in equal quarterly instalments during such period as is ordinarily required to qualify for the selected profession.

Provided that, in the case of scholarships awarded after the 1st January, 1930, the Governor in Executive Council may, on being satisfied that further financial assistance is required at the end of four years to enable a student to whom a scholarship has been granted to qualify for the selected profession and that such student is making reasonable and satisfactory progress in his studies, increase the value of the scholarship to a sum not exceeding twelve hundred pounds (£1,200) payable at the rate and in the manner hereinbefore provided for a further period of one or two years, as circumstances in each case may require.

(5) The Governor in Executive Council may refuse to award a scholarship to any student who is in his opinion unfit by reason of his character or conduct to hold such scholarship.

(6) The Governor in Executive Council may, by order in writing under his hand, deprive of his scholarship at any time during the currency thereof, any student who in his opinion has been guilty of gross misconduct, and may in like manner deprive of his scholarship any student who in the opinion of the Head of the University, institution or college in which he is studying has failed over a period of not less than one year to make reasonable and satisfactory progress in his studies. On any such order being made all rights of the student in respect of such scholarship shall immediately cease and determine.

PART VI.

COLLEGE EXHIBITIONS.

24. The Governor in Executive Council may in each year award exhibitions of such number and value as may be deemed advisable, tenable at the Queen's Royal College, any Assisted Secondary School or Intermediate School.

College
Exhibitions

PART VII.

GRANTS FROM PUBLIC REVENUE.

Conditions of
Grants-in-aid

25. Subject to the provisions of this Ordinance and to the regulations made thereunder any Assisted School, Training College or Hostel may, on application being made by the Head or Governing Body of the religious denomination or Association by which such School, College or Hostel is maintained, receive such aid from the public funds of the Colony as is prescribed by regulations made under this Ordinance.

Registers and
Records.

26. Any Assisted School, Training College or Hostel receiving aid from public funds shall :

- (a) keep such registers as may be required by the Director and produce such registers for inspection when required to do so ;
- (b) submit annually before the 31st day of January a detailed statement of the expenditure of the grant, in respect of the previous year ending the 31st day of December.

Provided that any School, Training College or Hostel recognised after the commencement of this Ordinance for the purpose of receiving aid from public funds, shall submit such other statements of expenditure and revenue as may be required by the Governor.

- (c) be open to inspection by the Director.

Refusal of
Grants-in-aid.

27.—(1) No grant shall be made to any Assisted School, Training College or Hostel :

- (a) which fails to comply with the requirements of this Ordinance or of regulations made thereunder.
- (b) unless the grant to such institution shall be applied only for educational purposes approved by the Director.
- (c) which the Governor considers superfluous or unnecessary.
- (d) which is maintained for the financial benefit of an individual or any group of individuals,

(2) Nothing in this section or in the preceding section shall be understood as involving an enquiry into the application by the recipients of any emoluments, salaries of managers, masters or teachers, the capitation grants to St. Mary's College and St. Joseph's Convent, any grant given or which may hereafter with the approval of the Board be given to any other College or educational body in lieu of salary or for the remuneration or subsistence of teachers or other persons not being students in hostels, bonuses, gratuities, rewards or sums paid for merely occasional services. Saving as to certain enquiries.

PART VIII.

DECEASED PUBLIC SERVANTS.

28. It shall be lawful for the Governor to grant to the child or children of any person dying while in the service of the Government free tuition, and the use of the necessary stationery and school books, at the Queen's Royal College or at any Assisted Secondary or Intermediate School. Children of deceased Public Servants.

The cost of such education shall be paid out of public funds.

PART IX.

REPEAL.

29. The Education Ordinance, Cap. 127, is hereby repealed. Repeal.

Passed in Council this second day of December, in the year of Our Lord one thousand nine hundred and thirty-three.

J. O'CONNOR,
Clerk of the Council.