

## TRINIDAD AND TOBAGO.

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I ASSENT,

[L.S.]

A. C. HOLLIS,

*Governor.*

23rd July, 1935.

25th July, 1935.

## AN ORDINANCE relating to Private Schools.

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

- Short title.      1. This Ordinance may be cited as The Private Schools Ordinance, 1935.
- Interpretation.      2. In this Ordinance,  
     "Child" means any person not being less than 3 nor more than 15 years of age.  
     "Compulsory School Attendance Area" means an area so proclaimed under the provisions of the Compulsory Education Ordinance.
- Cap. 128.      "Director" means the Director of Education appointed under the Education Ordinance, 1933.  
     "Education Officer" or "Officer" means the Director or an Inspector of Schools, or a school attendance officer appointed as such under the provisions of the Education Ordinance, 1933, or of the Compulsory Education Ordinance.
- Cap. 128.

“ Private School ” means a school or educational class or institution attended by 7 or more children, not being a Government School or Assisted School as defined by the Education Ordinance, 1933 : Provided that where the children attending a school are all under the age of six years the school shall not be deemed a Private School for the purpose of this Ordinance unless there are more than 12 children in attendance. (No. 28 of 1933.)

“ Proprietor ” includes any person who conducts a private school, or on whose behalf a private school is conducted, and also includes the lessee or tenant of the premises where such school is conducted, or the owner of the premises when the premises are not leased or tenanted.

“ Teacher ” means the teacher in charge of a private school, and where there are more teachers than one, the head teacher.

3. The Director shall keep a register to be designated as “ The Private Schools Register ” in which shall be recorded all particulars in respect of private schools, as required by this Ordinance. Private Schools Register.

4.—(1) Every proprietor of a private school shall within one month of the commencement of this Ordinance and thereafter within one month of the establishment of such school furnish the Director with a return in writing signed by him in such form as shall be required by the Director and containing the following particulars :— Returns to be furnished by proprietors of private schools.

- (a) the proprietor’s full name and address ;
- (b) the situation of the school and whether the proprietor is the owner, or lessee, or tenant of the premises ;
- (c) the number and size of the class rooms ;
- (d) details of the furniture, equipment and appliances to be used in each class room ;
- (e) the area (if any) allotted as a playground ;
- (f) the number and type of latrines to be used in connection with the school ;

- (g) provisions for the supply of drinking water ;
- (h) the hours during which the school is open ;
- (i) the full name and address of every teacher; and
- (j) such other information as the Director may require for the purpose of making more complete or explicit the foregoing particulars.

(2) Whenever there shall occur any change in the ownership of the school or its location, or any modification in respect of any of the particulars required to be supplied in the foregoing return, the proprietor shall forthwith furnish the Director 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, not exceeding twelve weeks in any one year) the proprietor shall furnish the Director 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 open such school, a new return shall be furnished to the Director as required by sub-section (1) hereof.

(4) In the month of January in each year every proprietor of a private school shall furnish the Director with a return in respect of the previous calendar year containing the following particulars :—

- (i) the number of meetings during which the school was opened ;
- (ii) the number of pupils on the roll on the 31st December ;
- (iii) the average attendance for the year ;
- (iv) the percentage of attendance of the total possible attendances for the pupils on the roll.

(5) In Compulsory School Attendance Areas every proprietor of a private school shall furnish the Director with such monthly or other returns as shall be required in this respect by any regulation for the time being in force under the Compulsory Education Ordinance, or prescribed under this Ordinance.

5. Except with the permission of the Governor, no person shall be employed in a private school as a teacher or act as a teacher therein if he has been convicted of any offence involving dishonesty or moral turpitude, or indicating unsuitability for the profession.

Disqualifications as a teacher.

6. Any proprietor of a private school who—

- (a) fails to furnish the returns required by this Ordinance, and in the manner so required ;
- (b) furnishes a return which he knows to be false or misleading in a material particular ;
- (c) knowingly employs as a teacher any person who is disqualified under section 5 of this Ordinance to act as such, or permits such person to act as a teacher,

Offences in respect of Returns and employment of teachers.

shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding fifty dollars.

7. If the proprietor of a private school commits any breach of the provisions of this Ordinance or of any regulations made thereunder, the Director may give notice in writing to the proprietor requiring him to comply with such provisions or to close down the school within such time as shall be stated in the notice. If the proprietor fails to comply with such notice, the Director may apply to any Magistrate for an order for the closure of the school, and the Magistrate, after hearing the parties, if he is satisfied that the school is not being conducted in accordance with the provisions of this Ordinance or of the regulations, may make such order in the circumstances as he thinks fit, and the proprietor shall for each day on which he fails to comply with the order, be liable to a penalty not exceeding five dollars recoverable in a summary manner before a Magistrate.

Closure of Schools not conducted in accordance with the law.

Penalty.

8.—(1) It shall be lawful for any Education Officer to 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 Ordinance or by any regulations made thereunder.

Education Officers may visit private schools and make enquiries.

(2) Every person who—

- (a) obstructs or resists any such Officer in the performance of his duties ; or
- (b) wilfully makes any false representation to any such Officer ; or
- (c) wilfully refuses to furnish to such Officer any information which such person may be required to furnish by this Ordinance or the regulations,

shall be guilty of an offence, and shall be liable on summary conviction to a penalty not exceeding fifty dollars.

Power of  
Governor in  
Executive  
Council to  
make  
regulations.

9.—(1) It shall be lawful for the Governor in Executive Council to make regulations in respect of the following matters :—

- (a) The size of class rooms, the number of children that may occupy each class room, their equipment, and the necessary latrine conveniences to be provided.
- (b) For the preservation of health and the prevention of the spread of disease among the pupils.
- (c) For defining the powers and duties of Education Officers.
- (d) For prescribing the registers and other records to be kept and the particulars to be supplied to the Director, and
- (e) Generally, for more effectually carrying out the provisions of this Ordinance.

Approval of  
Legislative  
Council.

(2) Regulations made under this 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.

(3) All such regulations shall be published in the *Royal Gazette*.

Schedule  
Regulations.

(4) The regulations contained in the Schedule hereto shall be in force until varied or revoked.

**SCHEDULE.****Regulations.**

1. Every Private School shall comply with the following requirements :—

- (a) The roof of every classroom shall be close-boarded or ceiled. Requirements for a private school.
- (b) The floor of every classroom shall be of such material, and at such a height above the ground as shall ensure absolute freedom from dampness.
- (c) Every building or room used for teaching purposes shall be of an average height of not less than ten feet from the floor to the ceiling and shall be adequately lighted and ventilated. No room or enclosed space used for purposes of teaching shall be less than ten feet along its shorter side.
- (d) Space for the use of the pupils shall be provided in every school building at the rate of not less than eight square feet of floor space for every pupil on the roll :  
 Provided that in schools where the number of pupils in average attendance is less than 80 per cent. of the number on the roll, the Director may sanction temporarily a lower rate of accommodation, and that in schools where the number in average attendance is more than 80 per cent. of the number on roll, he may require a higher rate of accommodation.
- (e) The grounds adjoining a school building shall be properly levelled and drained and whenever possible shall be sufficient in area and otherwise suitable for purposes of recreation for the children attending the School.
- (f) A sufficient supply of drinking water either from a service system or by storage shall be provided, with suitable arrangements for its use by the teachers and the pupils.

2. Every private school shall be provided with latrines for the use of teachers and pupils. Latrines. In mixed schools separate latrines shall be provided, as far apart as possible, for boys and girls. The latrines shall be constructed and maintained as hereinafter prescribed, namely :—

- (a) Latrines which may be pit, pail or water closet, shall be constructed according to plans approved by the Local Sanitary Authority. Such approval must be obtained before the work is commenced.
- (b) In all latrines seats shall be provided in the proportion of one seat to every 40 children in average attendance. A due proportion of the seats shall be adapted to the use of infants.
- (c) Where a water supply is derived from wells in or near the school premises, each pit shall be constructed of watertight concrete on the four sides and the bottom.
- (d) A deep pit may be dug where the space is insufficient for shallow pits.
- (e) The access of flies and other insects to the contents of any water closet, pit, or pail closet shall be prevented to the satisfaction of the Local Sanitary Authority.

- (f) Head teachers shall inspect daily and see that the latrines are kept clean and disinfected, and arrange for the pits to be emptied when required.
- (g) Lime or crude petroleum or other disinfectant shall be applied to pits at least once a week.
- (h) Pails shall be emptied and disinfected daily.
- (i) In the absence of special sanction by the Local Sanitary Authority, latrines shall not be less than 25 feet apart.
- (j) All latrines must be constructed and maintained in accordance with the privy bye-laws or sewerage regulations in force in the district, urban or rural, as the case may be.

3. School furniture shall comprise :—

Furniture.

- (a) Seating accommodation, allowing a space of 18 inches for each pupil, sufficient to seat not less than three-fourths of the number of pupils on the roll; such seating accommodation to be either benches or desks with fixed seats.
- (b) Desks or tables sufficient to accommodate at least three-fourths of the pupils in average attendance, of convenient height and allowing a space of 18 inches for each pupil. Any desks provided under paragraph (a) may be reckoned as part of the requirements of this paragraph.
- (c) Sufficient chairs or stools for the needs of the teaching staff.

4. The Director of Education may on the advice of the Education Board exempt any Private School established before the commencement of the Ordinance from the necessity of complying with any of the requirements of the foregoing Regulations, Nos. 1, 2 and 3.

Condition of school.

5. All floors, walls, ceilings, windows, furniture and apparatus shall be kept clean and in good order.

Infectious diseases.

6. No pupil suffering from a communicable disease or who has been exposed to infection from any communicable disease shall be admitted to any school. The Head Teacher shall immediately report all cases of communicable diseases among the pupils of his school to the Health Officer of the District.

Closure of Schools.

7. The Director of Education on the advice of the Surgeon-General or in Municipal districts the Medical Officer of Health may require either the closure of any private school, or of any classroom, or the exclusion of certain children for a specified time, with a view to preventing the spread of disease or any danger to health.

Registers.

8. The proprietor of a private school shall keep Admission and Attendance Registers and Daily Report Books as prescribed by the Director and shall produce such Registers and books for inspection when requested so to do by an Education Officer.

Attendance Register.

9. The Attendance Register shall be called and marked at each meeting of a school. In marking the Register there shall be no blanks left, or erasures made; all corrections therein shall be initialled by the Teacher.

10. The proprietor shall be held responsible for the conduct and efficient maintenance of the school, for the provision of all requisite furniture and equipment, for keeping the school buildings in a state of repair, and in a good sanitary condition, for the regular inspection and verification of all registers, books, and other records required to be kept, and for furnishing the Director with such returns and notices as are prescribed. Duties of Proprietor.

11. Any person guilty of a breach of any of these Regulations shall be liable on summary conviction to a penalty not exceeding Twenty-five Dollars. Penalty for breach of Regulations.

Passed in Council this fifth day of July, in the year of Our Lord one thousand nine hundred and thirty-five.

J. O'CONNOR,  
*Clerk of the Council.*