

TITLE X.

EDUCATION.

	PAGE
Chapter 127—EDUCATION	1427
„ 128—COMPULSORY EDUCATION	1436

CHAPTER 127.

EDUCATION.

AN ORDINANCE RELATING TO EDUCATION.

Ordinances
No. 13 of 1918,
„ 20 of 1922,
„ 20 of 1925.

[1st January, 1920.]

1. This Ordinance may be cited as the Education Ordinance. Short title.

2. In this Ordinance—

Interpreta-
tion.

“ Board ” means the Education Board appointed and constituted under this Ordinance;

“ College ” means the Queen’s Royal College;

“ Department ” means the Department of Education created under this Ordinance;

“ Director ” means the Director of Education;

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

“ Secondary School ” means a school of Secondary Education, whether for boys or for girls.

PART I.

THE DEPARTMENT OF EDUCATION, THE DIRECTOR, AND OFFICERS.

3. There shall be a Government department to be styled the Department of Education, the head whereof shall be called the Director of Education. Department
of Education.

Officers of
Department.

4. The officers of the department shall be as follows :—

- (1) The Principal and Masters of the College;
- (2) The Inspectors and Assistant Inspectors of Schools;
- (3) The secretary of the Board; and
- (4) Such clerks and other officers as may, in the opinion of the Governor, be necessary for carrying into effect the provisions of this Ordinance.

Remunera-
tion of
Director and
officers of
Department.

5. The Director and the officers of the department shall receive such salaries as the Governor, with the consent of the Legislative Council, may from time to time direct.

Duties of
Director.

6. (1) It shall be the duty of the Director to prepare regulations for the due carrying out of the provisions of this Ordinance, and to submit the same to the Board for approval; and further, to submit to the Board for approval any amendments of such regulations as he may consider necessary, or which he may be required by the Board to prepare.

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

(3) He shall, before the month of April in each year, make to the Board for submission to the Governor a report upon the state of every educational establishment supported or aided by public funds under the provisions of this Ordinance, and such report shall be printed and laid before the Legislative Council.

(4) He shall further, whenever he shall think fit, or whenever he shall be required by the Board to do so, report to the Board on any matter relative to the education of youth in the Colony.

PART II.

EDUCATION BOARD.

Education
Board.

7. (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 and the Principal of the College shall be two.

(2) Every member of the Board other than the Director and Principal of the College shall hold office for the term of two years from the date of his appointment.

(3) 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.

8. The Board shall not be an administrative and executive body but a purely consultative and deliberative body.

The Board to be consultative and deliberative.

9. The Director shall be chairman of the Board: Provided that, in his absence, the Board may elect one of its members as chairman at any meeting.

Chairman.

10. (1) Any member, other than the Director or Principal of the College, may resign his seat on the Board by letter addressed to the Governor.

Resignation and vacation of membership.

(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 from 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.

11. (1) The Board shall have power to make regulations dealing with the following subjects:—

Powers of Board.

(I)—*Elementary Education.*

- (a) The establishment and maintenance or discontinuance of Government Schools, and of Assisted Schools;
- (b) The course and schedules of studies and the course of manual instruction in Elementary Schools, and the books and apparatus to be used therein;
- (c) The discipline to be enforced in Elementary Schools, and the expenditure and application of a moderate sum from the funds appropriated to Education in rewards to the scholars;

- (d) The inspection and examination of Elementary Schools, and the manner in which Inspectors and Assistant Inspectors shall perform their duties;
- (e) The duties of local managers and the manner of their performance;
- (f) The qualification required in Elementary School Teachers of various classes, and the payments of fixed salaries and other emoluments to such Teachers; and the appointment, classification, suspension, and removal of such Teachers;

(II)—*Training of Teachers.*

- (g) The establishment and administration or discontinuance of Government and Assisted Training Schools for Teachers, and the provision of a system of training for Teachers at or in connection with Secondary and Elementary Schools and of classes for the instruction of Teachers;

(III)—*Intermediate Schools and Night Schools.*

- (h) The providing or aiding of night schools and of schools intermediary between Elementary and Secondary Schools, subject to such provisions of this Ordinance as the Board think fit to apply;

(IV)—*Secondary Education.*

- (i) The administration, management, and discipline of the College and of any other Secondary School established by the Government, and the appointment of a committee of the Board not exceeding five in number for the purpose of such administration, management, and discipline as aforesaid, and the payment or exemption from payment of tuition fees at such College or Secondary School;

- (j) The affiliation of Secondary Schools to the College, and the payment of aid to Secondary Schools, and the conditions under which such payments shall be made;
- (k) The courses and schedules of studies in the classes of the College, any Secondary School established by the Government, and any Schools affiliated to the College;

(V)—*General.*

- (l) The award and tenure of exhibitions;
- (m) Technical, agricultural, and commercial education;
- (n) The payment or remission of fees in respect of attendance at any School subject to the provisions of this Ordinance, except as regards the remission of fees at affiliated Secondary Schools; and
- (o) Generally, for the better carrying out of the provisions of this Ordinance.

(2) Regulations made under this section shall not have any force or effect until they have been published in the *Royal Gazette* and 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, after such approval as aforesaid, be published in the *Royal Gazette*.

(4) Two copies of such portions of the regulations as relate to elementary education shall, within ten days of their publication, be sent to each Head Teacher of an Elementary School, who shall post one of them in a conspicuous place in his School for public inspection.

12. It shall be the duty of the Board to advise upon all questions connected with the education of youth in the Colony which are referred to them by the Governor or the Director; and further, it shall be competent for the Board to make recommendations to the Governor or the Director in connection with such education without previous reference.

Duties of
Board.

Business of
Board.

13. (1) The Board shall meet once at least in every month on such day as may be prescribed by the regulations made under this Ordinance.

(2) The Director may at any time summon a meeting of the Board, and, on a requisition signed by any three members, he shall summon a meeting of the Board.

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

(4) The meetings of the Board shall be public, except when a majority of the Board shall decide to sit privately.

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

(6) The chairman shall have a casting as well as an original vote.

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

PART III.

ELEMENTARY SCHOOLS AND TEACHERS.

Classes of
Elementary
Schools.

14. Elementary Schools shall be divided into two classes:—

(a) Government Schools already or hereafter established and maintained entirely from the public funds of the Colony;

(b) Assisted Schools already or hereafter established to which aid is contributed from the public funds of the Colony.

Religion,
race, and
language.

15. No applicant shall be refused admission into any Elementary School on account of the religious persuasion, nationality, race, or language of such applicant or of either of his parents or guardians.

Religious
instruction.

16. Religious teaching shall not form part of the instruction to be given at any Government School by any teacher; but any minister of a Christian 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.

17. (1) It shall not be required as a condition of any 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.

Conscience
clause.

(2) 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 Board 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.

18. (1) The Governor shall appoint such persons as he thinks fit to be local managers for Government Schools, and he may in his discretion remove any such manager at any time.

Local
managers.

(2) No teacher or any person who derives any profit or emolument from any Elementary School shall be a local manager.

Teachers not
to be local
managers.

(3) The Head or Governing Body of the religious denomination in connection with which an Assisted School is conducted, or the Governing Body of any other Assisted School, shall have the power at any time to appoint local managers for such School or to require the retirement of any such local manager: Provided that the Board may also require the retirement of any local manager.

Local
managers
for Assisted
Schools.

(4) The Head or Governing Body of any religious denomination in connection with which Assisted Schools are conducted shall further have the power at any time to appoint for such Schools a Board of Management which shall appoint, transfer, or dismiss the Head and Assistant Teachers thereof.

Board of
Management
for Assisted
Schools.

Board to be notified of appointment, etc., of local managers and Board of Management.

(5) The appointment of any local manager and any member of the Board of Management for an Assisted School, together with the acceptance thereof in writing by the person so appointed, and the retirement of any such manager or member, shall be notified to the chairman or the secretary of the Board by the Head or Governing Body concerned. (*Substituted by 20 of 1925, s. 2.*)

Dismissal of Teachers.

19. The dismissal of Head and Assistant Teachers in Elementary Schools who have not less than seven years' service as such shall be subject to the approval of the Governor. (*Added by 20 of 1925, s. 2.*)

PART IV.

COLONIAL SCHOLARSHIPS.

Annual Colonial Scholarships.

20. (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 College or of any Secondary School established and conducted by the Government or of any school affiliated to the College, who shall have passed such examination and shall have satisfied such requirements as may be prescribed by regulations made by the Board under this section.

(2) The Board shall 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.

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

(4) Subject to the provisions of sub-section (1) hereof, the Scholarships shall be of such amount as the Governor in Executive Council, after considering the recommendations of the Board, may in each case decide, and shall be

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

(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. (*Substituted by 20 of 1925, s. 3.*)

PART V.

DECEASED PUBLIC SERVANTS.

21. It shall be lawful for the Governor to grant to the child or children of any deceased public servant free admission to the Queen's Royal College or to any affiliated Secondary School, and the fees payable in respect of such pupils shall be paid out of general revenue. (*Added by 20 of 1922, s. 2.*)

Children of
deceased
public
servants.