



BERMUDA

EDUCATION AMENDMENT ACT 2015

2015 : 8

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WHEREAS it is expedient to amend the Education Act 1996;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Education Act 1996 (the "principal Act"), may be cited as the Education Amendment Act 2015.

Amends section 2

2 The principal Act is amended in section 2(1) by inserting the following definitions in their proper alphabetical order—

“Parent Council” means a Parent Council established under section 21B;

“Parental Involvement Committee” means a Committee appointed under section 25I;”.

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### Amends section 18

3 (1) Section 18(1) of the principal Act is amended by inserting after “school” the words “which provides senior school education”.

(2) In consequence of the amendment in subsection (1), the following provisions of the principal Act are amended by inserting after “maintained” the word “senior”—

- (a) section 2(1) in paragraph (b) of the definition of “board of governors”;
- (b) section 18 in the heading;
- (c) section 19(1);
- (d) section 20(1);
- (e) section 21.

### Inserts Division AA

4 The principal Act is amended by inserting the following after section 21—

#### “AA PARENT COUNCILS

##### Application of Division AA

21A This Division applies to a maintained school which does not provide senior school or preschool education.

##### Establishment of Parent Councils

21B (1) The parents of children who are enrolled at a school to which this Division applies may establish a Parent Council for that school in accordance with rules made under section 21C.

(2) The name of the Parent Council shall be the name of the school followed by the words “Parent Council”.

(3) The Parent Council shall foster parent and community involvement with the school for the purpose of maximising the performance of students of the school and improving the school.

(4) A Parent Council is not a Government Authority for the purposes of the Government Authorities (Fees) Act 1971.

##### Minister may make rules

21C (1) The Minister may make rules—

- (a) governing the procedure to be followed for establishing a Parent Council;
- (b) prescribing the constitution of a Parent Council and otherwise in relation thereto;

- (c) prescribing the functions of a Parent Council including functions relating to—
    - (i) the making of representations to the principal on the draft budget for the school;
    - (ii) the making of representations to the principal regarding school policies on student achievement;
    - (iii) the making of representations to the Commissioner of Education on the desired qualities and competencies of any principal who may be appointed to the school;
  - (d) prescribing the duties of the Commissioner of Education with respect to Parent Councils;
  - (e) providing for committees;
  - (f) prescribing reports to be prepared by the Parent Council and persons to whom such reports are to be made available;
  - (g) providing for the suspension or dissolution of a Parent Council,
- and such other rules as may be necessary or convenient to be prescribed for carrying out or giving effect to section 21B.
- (2) The Minister may issue guidelines to Parent Councils with respect to any matter specified in the rules, or which are incidental or supplementary to such matters, and Parent Councils shall take account of such guidelines.
  - (3) The negative resolution procedure shall apply to rules made under this section.”.

Inserts sections 25H and 25I

5 The principal Act is amended by inserting the following after section 25G—

“Strategy for parent and community involvement

25H The Commissioner of Education shall develop a strategy to improve the involvement of parents in the education of their children and to engage the community with schools.

Parental Involvement Committee

25I (1) The Minister may, in accordance with this section, appoint not less than seven and not more than fifteen persons, including persons who are not public officers, to a committee to be known as the Parental Involvement Committee, and such Committee shall in the exercise of its functions be subject to any directions of the Minister.

(2) The purpose of the Parental Involvement Committee is to assist the Commissioner of Education in the development of a strategy to improve parent involvement in the education of their children and to engage the community with

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schools, and in particular the Committee shall make representations with respect to—

- (a) the views of parents and the community with regard to parent involvement and community engagement, after such views have been sought by the Committee;
- (b) effective practices that assist parents to become involved in the education of their children;
- (c) barriers to parent involvement and strategies for reducing such barriers;
- (d) any relevant matter as the Minister or the Committee may from time to time determine.

(3) For the purpose of assisting the Minister in appointing persons to the Parental Involvement Committee, there shall be a Selection and Appointment Committee of five members comprising—

- (a) the Chairman of the Committee, selected by the Minister;
- (b) the Commissioner of Education or his representative;
- (c) a member of the Board of Education;
- (d) a representative of parents selected by the Chairman;
- (e) a representative of the community selected by the Chairman.

(4) The functions of the Selection and Appointment Committee are to—

- (a) invite persons, through advertisement, to serve on the Parental Involvement Committee;
- (b) review all applications, interview applicants, and recommend to the Minister persons for appointment to the Parental Involvement Committee.

(5) The criteria for selecting persons to serve on the Parental Involvement Committee shall be determined by the Minister, after consultation with the Commissioner of Education; but notwithstanding the foregoing, the Minister may appoint a member of the Board of Education to serve on the Committee.

(6) The Selection and Appointment Committee and the Parental Involvement Committee are not Government Authorities for the purposes of the Government Authorities (Fees) Act 1971.”.

Amends Schedule 2

6 Paragraph 1 of Schedule 2 is amended—

- (a) by repealing subparagraph (1) and replacing it with the following—

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“(1) The board of governors of a maintained school which provides senior school education shall consist of a chairman, a deputy chairman and not less than nine, nor more than thirteen, other members appointed by the Minister by instrument in writing.”; and

(b) in subparagraph (3) by inserting after “maintained school” the words “which provides senior school education”.

### Commencement and transitional

7 (1) Other than sections 3 and 6, this Act comes into operation on such day as the Minister may appoint by notice published in the Gazette, and the Minister may appoint different days for different sections.

(2) Sections 3 and 6 come into operation on the day this Act receives the assent of the Governor.

(3) Any functions which, before the coming into operation of sections 3 and 6, are being or have been carried out by a Board of Governors of a maintained school which does not provide senior school education, or by any other body on behalf of, or in the absence of, a board of governors of such a school, shall be carried out by the Commissioner of Education.

[Assent Date: 29 March 2015]

*[Operative Dates: Sections 3 and 6 in force 29 March 2015. Sections 2, 4 and 5 in force 8 September 2015 by BR 69 / 2015 para. 2.]*