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EXTRAORDINARY

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PART I : SECTION (I) — GENERAL
Government Notifications

L.D.B. 37/53.

THE EDUCATION ORDINANCE (CHAPTER 185)

REGULATIONS made by the Minister of Education under Section 37 of the Education Ordinance (Chapter 185).

AKILA VIRAJ KARIYAWASAM,
Minister of Education.

Colombo,
04th April 2016.

Regulations

1. These Regulations may be cited as the Compulsory Attendance of Children at Schools Regulations No. 1 of 2015.

2. Every parent of a child of not less than five years and more than sixteen years of age (hereinafter referred to as the “age of compulsory education”) shall cause such child to receive an education by regular attendance at a school unless he has otherwise made adequate and suitable provisions for the education of such child.

3. (1) There shall be established-

- (i) for each School Feeder Area, a school attendance facilitating Committee (hereinafter referred as the “School Committee”);
 - (ii) for each Education Division, a compulsory School Attendance Monitoring Committee (hereinafter referred to as the “Monitoring Committee”);
- (2) (i) The Division Director of Education shall with the assistance of the School, Committee determine the relevant feeder area of a school, based on the proximity and the number of students who come from the area ;



- (ii) The Division Director of Education shall map the school feeder area coming under his division and submit through the Zonal Director of Education to the Provincial Director of Education for his approval ;
- (iii) Every school feeder area shall be determined and mapped within two months from the date of publication of these regulations.

4. (1) A School Committee shall consist of the following members appointed by the Zonal Director of Education-

- (i) the principal of the school who shall be the Chairperson ;
- (ii) heads of primary and secondary sections (two persons) ;

Provided however, there being no primary or secondary sections two teachers shall be appointed

- (iii) two teachers ;
- (iv) two prefects (in case of primary school, teachers or parents may be appointed in place of prefects) ;
- (v) two parents ; and
- (vi) two past students ;

(2) The members of the School Committee other than the Chairman shall hold office for a period of two years from the date of their appointment.

(3) The School Committee shall-

- (i) collect details relating to children of the age of compulsory education residing within the identified feeder area who do not receive an education by regular attendance at a school and facilitate their attendance to a school ;
- (ii) identify the students whose attendance is irregular and are at the risk of dropping out and the reasons for such behaviour and facilitate their regular attendance ;
- (iii) identify the students who are in the age of compulsory education who do not attend schools and who have dropped out of school and take steps to make them attend school again ;
- (iv) assist in providing the facilities required to create a friendly, pleasant and wholesome learning environment within the school ;
- (v) assist in conducting suitable programme for students whose performance levels are not satisfactory;
- (vi) conduct awareness programmes within the school feeder area on the benefits of receiving education by attending schools ;
- (vii) where necessary obtain assistance and services of the school development society, school development committee of the school, and teacher trainers on primary education, student counseling and special education ;
- (viii) reports to the Monitoring Committee on the findings in respect of the children who do not attend schools or whose attendance is poor and the progress of the follow up action taken on a monthly and regular basis ;

(4) The School Committee shall meet at least every two months. The minutes of the meetings of the school committee shall be forwarded to the Monitoring Committee through the Divisional Director of Education.

5. (1) The Monitoring Committee shall consist of the following members appointed by the Provincial Director of Education :-

- (i) the Divisional Director of Education of the relevant educational division who shall be the Chairperson ;
- (ii) the Deputy Director of Education or an Assistant Director of Education in charge of Primary Education in the relevant zone ;
- (iii) the Deputy Director of Education or an Assistant Director of Education in-charge of non-formal education in the relevant zone ;
- (iv) an assistant project officer in-charge of non-formal education in the relevant Educational Division ;
- (v) a senior officer representing the Divisional Secretary ;
- (vi) a child protection and psycho social officer in the Divisional Secretary's Division ;
- (vii) an officer of the Children and Women's Bureau nominated by the Assistant Superintendent of Police of the area ;
- (viii) two representatives from the voluntary organizations registered in the relevant Divisional Secretary's Office.

(2) The Monitoring Committee shall monitor the functions of the School Committee and ensure that the School Committee carries out its functions properly. In the event that the School Committee is not active, the Monitoring Committee shall take steps to make it functional.

(3) The Monitoring Committee shall meet at least every three months and the minutes of the meeting shall be forwarded to the Zonal Director of Education.

6. The Provincial Director of Education shall appoint the Zonal Director of Education as the authorized officer of each educational zone and the authorized officer shall take steps to-

- (i) establish School Committees ;
- (ii) monitor the activities of the Monitoring Committee ;
- (iii) resolve problems identified by the School Committees and the Monitoring Committee.

7. In case where the number of students in the school feeder area is more than the number of students that can be admitted to a school or if the school does not have the relevant grades, the relevant Zonal Director of Education shall decide the necessary steps to admit students of such school feeder area to a suitable school.

8. Every School Committee shall prepare and forward to the Monitoring Committee, a report including a list of the children of the age of compulsory education who do not attend school or for whose education adequate and suitable provision has not been made by their parents and residing in the feeder area of the school for which such School Committee has been established. Grama Niladhari of the division shall submit the names of the children and the names, addresses and permanent place of residence of the parents of such children to the School Committee, so as to enable the School Committee to prepare the said list.

9. For the purpose of preparing the report referred to in Regulation 8, the School Committee shall have the power to call for any additional information from the parents or visit the parents, or any other person residing within the feeder area of the school for which such Committee has been established.

10. The Monitoring Committee shall submit the report it received from the School Committee together with its remarks to the authorized officer who shall, upon receipt of such report, notify the parents of such children to cause such children to attend a school, within four weeks of the receipts of such notification.

11. Where any parent fails to comply with the notification within the period specified therein and informs or does not inform the authorized officer the reasons as to why such child is not attending a school, the authorized officer or any other person authorized by him shall hold an inquiry into the reasons for such non compliance.

12. For the purpose of an inquiry under Regulation 11 an authorized officer shall have the power to -

- (i) demand and obtain information from any person whom he thinks is relevant to the inquiry ;
- (ii) require any child to be produced before him for inspection ;
- (iii) enter upon and search any premises for the purpose of gaining or verifying any information with regard to any such children.

13. If at the inquiry it is revealed that the grounds for non-compliance are -

- (i) that the child is prevented from attending school by reason of sickness, mental or physical disability or other medical cause ;
- (ii) that the child is attending a non-forman literacy centre, activity school or a technical vocational training centre as a transitional measure, a special school or a pirivena within the meaning of the Pirivena Education Act, No. 64 of 1979 ;
- (iii) any other unavoidable cause impede the child's attendance at school

the authorized officer shall report in writing on these matters to the Provincial Director of Education with his recommendation.

14. Upon receipt of the recommendations referred to in Regulation 13 of the Provincial Director of Education may, if he is satisfied that the parent of any child has made adequate and suitable provision for the education of his child, exempt such child from attending a school.

15. Where the Provincial Director of Education is not satisfied that any parent has made adequate and suitable provisions for the education of his child, he shall require the parent of such child to make arrangement for the admission of such child to a school situated within a distance not exceeding three decimal two kilometres from the residence of such child and if he is satisfied that the parent of such child is unable to provide the child with the basic requirements for the schooling of such child, he shall arrange for the provision of such requirements.

16. Upon arrangements being made for the admission of such child to a school in terms of Regulation 15 the school committee shall furnish a further report to the Provincial Director of Education after three months as to whether such child has been admitted to a school and receiving education.

17. If the further report reveals that the child is still not attending a school and that the parent, has failed in his responsibility in causing the child to attend a school, notwithstanding the arrangements made and the basic requirements provided for the admission of such child, the Provincial Director of Education shall direct the authorized officer to obtain a written report to the Monitoring Committee from the the School Committee.

18. The Monitoring Committee shall have the power to summon the parents who have failed to cause their children to attend a school in terms of Regulation 17, or authorize in writing a member of the Committee or visit such parents, and shall counsel and advise such parents, with a view to ensuring the attendance of such children at schools.

19. Every parent who contravenes the provisions of Regulation 2 shall be guilty of an offence.

20. For the avoidance of doubts, it is hereby declared that nothing in these regulations shall affect the operation of section 38 of the Education Ordinance.

21. In these regulations “Parent” shall have the same meaning assigned to it under the Education Ordinance (Chapter 185).

22. The Compulsory Attendance of Children at Schools Regulations, No. 01 of 1997 published in the *Gazette Extraordinary* No. 1003/5 of 25th November, 1997 is hereby rescinded without prejudice to anything done thereunder.

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