



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ಪತ್ರಿಕೆ

ಭಾಗ - IV-A	ಬೆಂಗಳೂರು, ಶನಿವಾರ, ಏಪ್ರಿಲ್ ೨೮, ೨೦೧೨ (ವೃತ್ತಾಂತ ರ, ಶಕ ವರ್ಷ ೧೯೩೪)	ನಂ. ೩೧೧
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EDUCATION SECRETARIAT

NOTIFICATION

N0. ED 77 YOYOKA 2010. BANGALORE, Dated : 28th April 2012

In exercise of the powers conferred by sub-section (1) of section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009), the Government of Karnataka hereby makes the following rules, namely:

RULES

PART - I

PRELIMINARY

1. Title, extent, commencement and application. (1) These rules may be called the Karnataka Right of Children to Free and Compulsory Education Rules, 2012.

(2) They shall extend to the whole of the State of Karnataka.

(3) They shall come into force from the date of their publication in the Official Gazette.

(4) The provisions of these rules shall apply to all schools and shall have overriding effect over the

Provisions of rules made under the Karnataka Education Act, 1983 (Karnataka Act 1of 1995) to the extent of their repugnancy. Where no provisions are made in these rules, the provisions of other rules made under any other law shall continue to apply. '

2. Definitions: - (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Right of Children to Free and Compulsory Education Act, 2009 (Central Act 35 of 2009);

(b) "Academic Authority" means the Department of State Educational Research and Training (DSERT) for schools affiliated to the State Board;

(c) "BEO" means the Block Education Officer of the education block;

(d) "CEO" means the Chief Executive Officer of the Zilla Panchayat of the district, appointed under the Karnataka Panchayat Raj Act, 1993;

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- (e) "Child belonging to disadvantaged group" means a child belonging to the Scheduled Caste, the Scheduled Tribe, the Backward Class as specified by the Government of Karnataka, by notification under clause (d) of Section 2 of the Act; It also includes orphan, migrant and street child, child with special needs and HIV affected /infected child;
- (f) "Child belonging to weaker section" means a child belonging to such parent or guardian whose annual income is lower than the minimum limit as notified by the State under clause (e) of Section 2 of the Act.
- (g) "Commissioner" means the Commissioner for Public Instruction, which includes Additional Commissioners for Public Instruction, Dharwad and Gulbarga;
- (h) DDPI means the Deputy Director of Public Instruction (Administration) of the educational district;
- (i) DIET means the District Institute of Education and Training, which is set up in the district as an institution for providing academic support for education and training of teachers;
- (j) "Government" means the State Government;
- (k) "Governing Council" means any person or body of persons permitted or deemed to be permitted under this Act to establish or maintain a private educational institution, and includes the governing body, by whatever name called, to which the management of affairs of the said educational institution are entrusted;
- (l) "NCTE" means the National Council for Teacher Education;
- (m) "School Development and Monitoring Committee" (SDMC) means School Management Committee (SMC) constituted under section 21 of the Act;
- (n) "School mapping" means planning school location to overcome social barriers and geographical distance.

(2) All other words and expressions used herein and not defined shall have the same meaning assigned to them in the Act.

PART - II

RIGHT OF CHILDREN TO FREE AND COMPULSORY EDUCATION

Special Training for the purpose of first provision to Section 4

3. Right of children to free and compulsory education.-(1) The School Development and Monitoring Committee under local authority shall identify children requiring special training and organise such training in the following manner, namely:

- (a) The special training shall be based on specially designed, age appropriate learning material, approved by DSERT, the academic authority;
- (b) It shall be provided in classes held on the premises of the school, or through classes organised in safe residential facilities;
- (c) It shall be provided by teachers working in the school, or by teachers specially appointed for the purpose;

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(d) The duration shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress, for a maximum period not exceeding two years.

(2) The child shall, upon induction into the age appropriate class, after special training,

continue to receive special attention by the teacher to enable him to successfully integrate with the rest of the class, academically and emotionally.

PART - III

DUTIES OF STATE GOVERNMENT, LOCAL AUTHORITY

4. Areas or limits for the purposes of section 6.- (1) The areas or limits of neighbourhood throughout the state except the city corporations within which a school has to be established by the State Government and the local Authority shall be as under, namely:

(a) In respect of children in classes I - V, a school shall be established normally within a walking distance of one km of the neighbourhood;

(b) In respect of children in classes VI – VII, a school shall be established normally within a walking distance of 3 km of the neighbourhood: and

(c) In respect of children in class VIII, a school shall be established within a distance of 5 km of the neighbourhood.

Provided that, in case of urban areas where local authorities are City Corporations, the area of neighbourhood shall be the area of ward notified for the purpose of governance of local authority.

(2) The State Government shall endeavour within the limits of its economic capacity and development to add VIII to schools with classes up to VII in a phased manner.

(3) Wherever required, the State Government shall upgrade existing schools with classes I - V to include classes VI — VIII. In respect of schools which start from class VI onwards, the State Government shall endeavour to add classes I - V, wherever required.

(4) In areas with difficult terrain, risk of landslides, floods, lack of roads and in general, danger for young children in the approach from their homes to the school, B.E.O or Local Authority shall locate the school in such a manner as to avoid such dangers, by reducing the limits specified under sub-rule (1). -

(5) For children from small hamlets, as identified by the DDPI or Local Authority, where no school exists within the area or limits of neighbourhood specified under sub-rule (1) above, suitable arrangements such as free transportation, residential facilities and/ or other facilities shall be arranged. The cost for these alternative arrangements shall be fixed by C.P.I or the Local Authority as per local conditions. Expenditures on alternative arrangements shall be met by State Government / Local Authority.

(6) In areas with high population density, the C.P.I or local authority may consider establishment of more than one neighbourhood school, having regard to the number of children in the age group of 6-14 years in such areas.

(7) The Local Authority shall identify the neighbourhood school where children can be admitted and make such information public for each habitation within its jurisdiction.

(8) In respect of children with disability which prevent them from accessing the school, the C.P.I or Local Authority shall endeavour to make appropriate and safe transportation arrangements for them to attend school and complete elementary education.

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(9) The C.P.I or Local Authority shall ensure that access of children to the school is not hindered on account of social and cultural factors.

5. Duties of Government and Local Authority towards disadvantaged group of children for the purpose of Sec. 8 and 9. - (1) A child attending a school of the State Government or local authority referred to in sub-clause (i) of clause (n) of section 2, a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 in pursuance to clause (b) of sub section (1) of section 12. and a child attending a school referred to in sub-clause (iii) and (iv) of clause (n) of section 2 in pursuance to clause (c) of sub section (1) of section 12 shall be entitled only to free text books. writing materials and uniforms.

Provided that a child Disability shall also. be provided free special learning and support material.

Explanation: In respect of the child admitted in pursuance of clause (b) of sub-section (1) of section 12 and a child admitted in pursuance clause (c) of sub-section (1) of section 12, the responsibility of providing the free entitlement shall be of the school referred to in sub- clause (ii) of clause (n) of section 2 and of sub-clauses (iii) and (iv) of clause (n) of section 2, respectively.

(2) For the purpose of determining and for establishing neighbourhood schools, the C.P.I or the local authority shall undertake school mapping, and identify all children, including children in remote areas, children with Disabilities children belonging to disadvantaged groups, children belonging to weaker sections and children referred to in section 4, within a period of one year from the appointed date, and every year thereafter.

(3) The D.D.P.I or local authority shall ensure within their jurisdiction that no child is subjected to caste, class, religious or gender discrimination in the school.

(4) For the purposes of clause (c) of section 8 and clause (c) of section 9, the C.P.I and the local authority shall ensure that a child belonging to a weaker section and a child belonging to disadvantaged group is not segregated or discriminated against in the classroom, during mid day meals, in the play grounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

6. Maintenance of records of children by local authority for the purposes of clause (d) of section 9:-

(1) The Local Authority shall maintain a record of all children, in its jurisdiction, through a household survey, from their birth till they attain 14 years.

(2) The record, referred to in sub-rule (1), shall be updated each year.

(3) The record, referred to in sub-rule (1), shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9

(4) The record, referred to in sub-rule (1) shall, in respect of every child, include,-

- (a) name, sex, date of birth, (Birth Certificate Number), place of birth;
- (b) parents or guardians' names, address, occupation;
- (c) pre-primary school or Anganwadi centre that the child attends (up to age 6);
- (d) elementary school where the child is admitted;
- (e) present address of the child;

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(f) class in which the child is studying (for children between age 6-14). and if education is discontinued in the territorial jurisdiction of the Local Authority. the cause of such discontinuance;

(g) Whether the child 'belongs to a disadvantaged group within the meaning of clause (d) of section 2 of the Act;

(h) whether the child belongs to the weaker section within the meaning of clause (e) of section 2 of the Act:

(i) details of children requiring special facilities or residential facilities on account of migration and sparse population; age appropriate admission; disability.

(5) The Local authority shall ensure that the names of all children enrolled in the schools and out of school children under its jurisdiction are publicly displayed in each school.

PART- IV

RESPONSIBILITIES OF SCHOOLS AND TEACHERS

Admission of children belonging to weaker section and disadvantaged group for the purposes of clause (c) of section 12 (1).- (1) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) of section 12 (1) shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children.

(2) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in pursuance of clause (c) of section 12 (1) shall not be discriminated from the rest of the children in any manner in respect of entitlements and facilities such as text books, uniforms, library and ICT facilities, co-curricular programme and sports.

(3) The areas or limits of neighborhood specified in rule 4 (1) shall apply to admissions made in pursuance of clause (c) of section 12 (1), provided that the school may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) of section 12 (1). extend these limits with the prior approval of the State Government.

(4) The percentage of allocation across various categories shall be notified by the Government.

8. Reimbursement of per child expenditure by the Government for the purpose of Section 12(2).-(1) The total annual recurring expenditure incurred by the State on elementary education in respect of all schools established or owned by it or by the local authority, divided by the total number of children enrolled in all such schools, shall be the per-child expenditure incurred by the Government. For this purpose the expenditure on grant-in-aid schools and students enrolled in such schools shall not be included. The Government shall notify per-child expenditure every year before commencement of academic year, which shall be reimbursed in respect of admission of eligible children to private unaided schools. The children admitted under the quota of disadvantaged group and weaker section shall not be levied any other fee, charges or expenses by such school.

(2) Every school which receives reimbursement per child expenditure shall maintain a separate bank account and is subject to audit by the government. In respect of a child admitted to a private unaided school over and above the quota for the disadvantaged group and weaker section, there shall not be any claim on reimbursement of such expenditure incurred on child's education in any such school. In respect of the child admitted in pursuance of clause (b) of sub-section (1) of section 12 and a child admitted in pursuance clause (c) of sub-section (1) of section 12, the responsibility of providing

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the free entitlements shall be of the school referred to in sub-clause (ii) of clause (n) of section 2 and of sub-clauses (iii) and (iv) of clause (n) of section 2. respectively.

(3) Any aided school with un-aided sections shall be treated as an aided school as per sec 2(n)(ii). The rule under section 12(l)(b) of the Act shall be applied for these schools.

(4) The reimbursement shall be made directly, by way of Electronic Fund Transfer in the separate bank account maintained by the school in two instalments during the academic year. First instalment of 50% shall be reimbursed in the month of September and second instalment shall be reimbursed in the month of January after receiving compliance report in FORM III from the school.

(5) Every school shall furnish a Report to the DDPI through the Block Education during July and January of the year, in Form III -giving status report of the school.

9. Documents as age proof of child for the purpose of Section 14. - Wherever a birth certificate under the provisions of the Registration of Births and Deaths Act, 1969. is not available. any one of the. following documents deemed to be the proof of age of the child for the purpose of admission in schools. namely:

- (a) Hospital/Auxiliary Nurse and Midwife (ANM] register record.
- (b) Anganwadi record.
- (c) Self Declaration for the age of the child by the parent or guardian.

10. Extended period for admission of child for the purpose of Section 15. - (1) Extended period of admission shall be three months from the date of commencement of the academic year of a school.

Provided that no child shall be denied admission if such admission is sought subsequent to the extended period:

(2) Where a child is admitted in a school after the extended period, he shall be eligible to complete studies with the help of special training, as assessed and determined by the head of the school.

11. Recognition of Schools for the purpose of Section 18.-(1) Without prejudice to these rules the rules for the recognition of schools made under the Karnataka Education Act, 1983 shall muttatis muttandies apply for recognition of schools under there rules.

(2) Every Governing council of a school other than a school established, owned or controlled by the Government or local authority established before the commencement of the Act, shall make a Self Declaration in FORM I six months from the date of commencement of these rules to the concerned Block Education Officer regarding its compliance or otherwise with the norms and standards prescribed in the Schedule along with the following conditions, nameLy:-

- (a) The school is run by a society registered under the Societies Registration Act, 1860 (21 of 1860) or the Karnataka Societies Registration Act, 1960 or a public trust constituted under any law for the time being in force;
- (b) The school is not run for profit to any individual, group or association of persons;
- (c) The school conforms to the values enshrined in the Constitution;
- (d) The school premises shall not be used for any other purposes other than school related activities.

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- (e) The school is open to Inspection by any officer authorised by the state government or any local authority;
- (f) The school furnishes such reports and information as required by the State government or any authorised officer of the state government from time to time and complies with such instructions of the state government or local authority as may be issued to secure the continued fulfilment of the conditions of recognition or the removal of deficiencies in the working of the school:

(3) The Local Authority shall identify the neighbourhood school where children can be admitted and make such information public for each habitation within its jurisdiction.

(4) The BEO concerned shall conduct inspection of such schools which claim in FORM I to fulfil the norms, standards and the conditions mentioned in sub-rule (1) within three months of the receipt of the self-declaration.

(5) After the inspection under sub-rule (3) is carried out, the inspection report shall be placed by the BEO in public domain and the BEO shall forward the list of schools conforming to the norms. Standards and the conditions for granting/renewal of recognition by the DDPI in FORM II within a period of 15 days from the date of inspection.

(6) The DDPI of the district shall grant recognition to such schools under the Act within a period of 15 days and notify in the public domain. Validity of such recognition shall be for five years. which may be considered for renewal on application by the concerned.

(7) Schools which do not conform to the norms, standards and conditions mentioned in sub-rule (1), shall be listed by the BEO. He/She shall issue an order to this effect, and shall give time of three years to set right the deficiencies.

(8) Schools which are in existence prior to notification of rules and which do not conform to the norms, standards and conditions mentioned in sub-rule (1), shall cease to function after three years from the date of notification.

(9) Every school, other than a school established, owned or controlled by the Government or local authority, established after the commencement of this Act or seeking renewal of recognition shall conform to the norms, standards and conditions mentioned in sub-rule (1) in order to qualify for recognition and shall apply for grant or renewal of recognition to the DDPI concerned along with the declaration along with such fee as may be determined by the Government.

(10) Every application for grant or renewal of recognition shall be processed in the same manner specified in sub-rules (2) to (7).

12. Withdrawal of Recognition of Schools for the purpose of Section 18(3) and 12(3).-Where DDPI of the district on his own volition or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognised under these rules, has violated one or more conditions of grant of recognition or failed to fulfil the norms, standards and conditions mentioned as per the Act or in these rules, it shall act in the following manner, namely:-

(a) Issue a notice to the school specifying the violations of the conditions of grant of recognition and seek its explanation within one month. This notice shall also be placed in the public domain.

(b) In case the explanation is not found to be satisfactory or no explanation is received within the stipulated time, the DDPI may cause inspection of the school to be conducted by a committee constituted by him consisting of three members comprising of an educationist, representative of civil

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society and a government representative, which shall make due enquiry and submit its report along with its recommendations for continuing recognition or its withdrawal. to the DDPI.

(c) The DDPI shall take decision based on the report of the committee within a period of 15 days from the date of receipt of the report. Such decision shall be placed in the public domain.

(d) In case the DDPI issues an order of withdrawal of recognition, the order shall be operative from the succeeding academic year and the BEO concerned shall ensure arrangements for admitting the children of such school to any of the schools in the neighbourhood.

(e) Appeal against the order issued by the DDPI under this rule may be filed before the Director of Public instruction within 30 days from the date of the order. The Director of Public Instruction shall, at first, decide admissibility of the appeal and once the appeal has been admitted for hearing, the order under appeal shall remain suspended till the final decision of the appeal. The Director of Public Instruction, after giving opportunity of hearing to both the parties, shall pass order within two months from the date of filing of appeal. Such order shall be final.

PART - V

SCHOOL DEVELOPMENT AND MONITORING COMIWIWITTEE (SDMC)

13. Composition and functions the School Development and Monitoring Committee. - (1) there shall be a School Development and Monitoring Committee (SDMC) for every school other than an unaided school. Such Committee shall be constituted within six months of the coming into force of these rules, and reconstituted for every three years. School Development and Monitoring Committees shall have sixteen elected members. Head Teacher or senior most teachers as the case may be shall be ex-officio Member Secretary, Health worker and an Anganwadi worker in the area where the school is located shall be ex-officio members of the School Development and Monitoring Committee.

(2) Thirteen members of the School Development and Monitoring Committee shall be elected from amongst parents or guardians of children. The remaining three members of the School Development and Monitoring Committee shall be nomited from amongst the following persons, namely:-

(3) (a) One member amongst the elected members of the local authority, to be decided by the local authority. One member from amongst teachers of the school, to be decided by the B.E.O. The remaining one member from amongst educationists, philanthropic persons from the locality and children in the school to be nominated by the B.E.O.

(b) The School Development and Monitory Committee shall have 50 per cent of its members from amongst women. The Chairman and Vice Chairman of the School Development and Monitory Committee shall be elected from amongst the parent or guardian members.

(c) The BEO is the competent authority to ensure the functioning of the School Development and Monitory Committees of all schools in his/her jurisdiction. He shall also facilitate resolution of dispute by arranging or overseeing deliberations and by involving local authority therein.

(4) The School Development and Monitoring Committee shall meet at least once in a month and the minutes of the meetings shall be recorded and made available to the public.

(5) The School Development and Monitoring Committee shall, in addition to the functions specified in clauses (a) to (d) of section 21 (2), perform the following functions, namely:

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(a) communicate in simple and creative ways to the people in the neighbourhood of the school. the rights of the child as enunciated in the Act: as also the duties of the local authority. school, parent and guardian:

(b) Ensure the implementation of clauses (a) and (e) of section 24 and section 28 of the Act.

(c) Monitor that teachers are not burdened with non academic duties other than those specified in section 27. It shall also hear grievances of teachers as the first level of local authority.

(d) Ensure the enrolment of all non school going children in the neighbourhood irrespective of religion. race caste. sex. language and place of birth and continued attendance of all the children from the neighbourhood in the school. Towards this SDMC may conduct enrolment drives, bridge courses and special campaigns for girl children. children with special needs and child labour; Monitor facilities, enrolment and education of children with special needs.

(e) Monitor the maintenance of the norms and standards prescribed in the Schedule;

(f) Bring to the notice of the local authority any deviation from the rights of the child. in particular mental and physical harassment of children, denial of admission, and timely provision of free entitlements..

(g) Identify the needs of the school and prepare the School Development Plan and monitor the implementation of the provisions of section 4.

(h) Ensure non-discrimination against and provision of special facilities such as hearing aids, Braille etc to children in the neighbourhood who are physically or mentally challenged, to enable them to attend school. Monitor the identification and enrolment of, and facilities for learning of disabled children, and also to ensure their participation in, and completion of elementary education

(i) Monitor periodically drop-out rates and ensure attendance and retention of all children in the school. Monitor the implementation of the distribution of free textbooks, mid-day meal programme, uniforms and scholarships and any other incentives given by the government from time to time.

(j) Prepare an annual account of receipts and expenditure of the school for the period ending 31st March of. the year, before end of June of the year and shall be approved by the School Development and Monitoring Committee and signed by the Chairperson and Secretary of the School Development and Monitoring Committee. This shall be placed before the local authority and put in the public domain.

(k) The School Development and Monitoring Committee shall prepare School Development Plan for the financial year after identifying the needs of the school. It shall be the duty of School Development and Monitoring Committee to oversee infrastructure facilities like playground, compound walls, classrooms, toilet. furniture, provision for drinking water etc., for the school. It shall also arrange construction and maintenance of any works as per Annual Work Plan/School Development Plan. It may acquire, purchase or hire immovable or movable property as may be required for proper functioning of the school. It shall protect school premises against encroachment and nuisance. It shall ensure that the school has the Child Helpline Number displayed prominently. It shall also oversee hygiene, upkeep and maintenance of the school, in addition, monitor the school health programmes and facilitate regular health camps for the children in the school.

(1) It shall also conduct meetings of the Parents Council once in three months and discuss with the parents to send their children to the school who do not send their children to the school regularly. It shall also arrange enrolment of all the children to the school by undertaking enrolment drives, bridge

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courses and special campaigns for girl children. It shall also conduct parents' day celebrations periodically to involve all parents in the activities of the school.

(m) The School Development and Monitoring Committee may also involve all parents in the activities of the school and to motivate them to offer constructive suggestions to the local authority and School Development and Monitoring Committee for improving the school. It shall also address grievances or complaints made by students, parents, teachers and non-teaching staff of the school.

(n) The School Development and Monitoring Committee may hear grievances of teachers as the first level of grievances redressal body and monitor and take appropriate action in the event of harassment of teachers in general and also complaints of women teachers in particular.

(o) It shall be the duty of School Development and Monitoring Committee to ensure a minimum of two hundred and twenty working days in a year and also to decide on local holidays not more than four days in a year.

(p) It may hire the services of local persons as teachers or instructors, as the case may be, where there is a need, on a voluntary basis or on payment of fixed honorarium, meeting the cost from its funds. Provided that no regular post is filled on a permanent basis in this manner.

(q) It shall be the duty of School Development and Monitoring Committee to periodically review the performance of teachers and facilitate compliance with the minimum quality standards as prescribed in the Schedule of the Act and any programme of the Central Government or State Government from time to time. It shall also facilitate provision of need-based trainings to teachers, depending upon the demand of the teachers and the Head Teacher.

(6) It shall be the duty of School Development and Monitoring Committee to ensure any money received by it for the discharge of its functions under the Act, shall be-kept in a separate account, to be made available for audit every year. It shall also supervise all properties, funds and finances of the school. It may issue appeals and applications for money and funds in furtherance of its functions to receive, collect, and accept any gifts or donations, either in cash or in kind or-of any property, either movable or immovable; and spend the same in fulfilment of all or any of its functions. It shall not be interpreted as authorizing collection of donation from parents.

14. Preparation of School Development Plan. - (1) School Development Plan will be a three year perspective plan and shall contain the following details, namely:

(a) Estimates of class-wise enrolments each year.

(b) Requirement of additional teachers over a three year period, separately for classes I to V and VI to VH1 calculated as per norms specified in the schedule of the Act.

(c) Physical requirement of additional infrastructure and equipments over the three year period, calculated, on the basis of norms and standards, specified in the Act.

(d) Additional financial requirement over the three years period, year-wise, in respect of (b) and (c) above, including additional requirement needed for bridge courses, special training of teachers, all entitlements of children, and any other financial requirement for fulfilling the responsibilities of the school under the Act.

(2) The School Development and Monitoring Committee shall prepare a School Development Plan three months before the end of the financial year. This plan will include the needs of disabled children as well.

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(3) School Development plan shall also relate to academic improvement of the school. it shall detail the academic improvement activities of the school including periodical review of performance of children in both curricular and co-curricular activities

(4) School Development plan to be signed by the Chairman and the Secretary of the School Development and Monitoring committee and submitted to the BEO through local authority. before the end of the financial year. School Development Plan shall be consolidated at the cluster and block levels and shall form the basis for planning resource allocation to such schools in each educational block.

PART-VI

TEACHERS

15. Minimum qualification for teachers. - (1) The Government on the recommendation of the appropriate academic authority notified by the Central Government and for the purposes of sub-section (1) of section 23, shall lay down the minimum qualifications for the persons to be eligible for appointment as teachers in an elementary school.

(2) The minimum qualification laid down under the above sub-rule shall be applicable for every school referred to in clause (n) of section 2 of the Act.

16. Duties of teacher.- In performance of the Functions specified in sub-section (1) of section 24 and in order to fulfil the requirements of clause (h) of sub-section (2) of section 29, the teacher shall maintain a record containing the pupil cumulative record for every child which shall be the basis for monitoring children's progress, awarding the completion certificate specified in sub-section (2) of section 30.

(2) The teacher shall assess the performance of every child periodically as per the prescribed curriculum and take up special training for the children who do not reach expected learning levels in each subject. Apart from periodic evaluation of the child, the evaluation study reports shall also form the basis for devising and implementing special teaching programme by the teacher.

(3) It shall be the responsibility of the school in the neighbourhood and teachers therein to identify out of school children and mainstream such children by providing special training to them to attain expected levels of learning by converging the hostel facilities of government departments such as Social Welfare, Backward Classes and Women and Child Welfare.

(4) The teacher shall also participate in the regular training programmes, preparation of curriculum, textbooks, training modules and teaching Learning Materials (TLM) development organized by the Cluster Resource Centre, Block Resource Centre and District Institute of Education and Training and other academic agencies.

17. Grievance Redressal Authority for Teachers.- The School Development and Monitoring Committee constituted under section 21 shall be the Grievance Redressal Authority for teachers of government and local authority schools and aided schools. In all Grievance Redressal Authority proceedings by SDMC, BEO shall be present. For private un-aided schools, Section 96 of Chapter 14 of Karnataka Education Act 1983 shall apply for Grievance Redressal.

18. Maintaining Pupil-teacher Ratio in each school as per section 26.- (1) For school established, owned, controlled or substantially financed by funds provided directly or indirectly State Govt. or Local authority the BEO of every educational block shall assess the Pupil-Teacher Ratio (PTR), school wise as specified in the schedule of the Act.

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(2) The BEO shall every year do or cause to do rational deployment of teachers in the block to maintain the Pupil Teacher Ratio as per schedule of the Act and subsequently report to the DDPI, the resultant excess or shortage school wise. Every year on receipt of this information from the BEO. the DDPI shall do or cause to do rational deployment of the teachers among the teachers of the district and shall take the sanctions from the Govt. to fill the vacancy of teacher so that the vacancy does not exceed 10 percent of the total sanctioned strength.

(3) In respect of private schools. the managements shall maintain the Pupil Teachers Ratio (PTR) as specified in the schedule of the Act and take steps to fill up the vacancies of teachers. Management of such schools shall report to the BEO informing them on steps taken to fill up the vacancies. BEO shall review the status of such managements from time to time and report through proper channel to the Govt. regarding status of PTR in private schools.

PART - VII

CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION.

19. Academic Authority. - (1) The Department of State Educational Research & Training (DSERT) is the Academic Authority in the state for all schools adopting the state curriculum for the purposes of section 29 of the Act. However, the Government may also recognize additional academic authorities under these rules.

(2) The Department of State Educational Research & Training shall be responsible for,

(a) Formulating the curriculum including a flexible curriculum for children with special needs as per the guidelines contained in the National and State Curriculum Framework;

(b) For preparing class-wise and age appropriate syllabus which shall include vocational exposure as an alternative programme for all children including children with special needs. It shall also define the expected learning outcomes at the end of each grade and for every subject.

(c) For periodical revision of pre-service elementary teacher training curriculum, designing appropriate in-service teacher training programmes, integrating components of inclusive education and for preparation of suitable guidelines for implementation of Continuous and Comprehensive Evaluation for all classes from classes I to VII.

20. Award of Certificate. - (1) The school shall issue the Certificate of completion of elementary education to the child who has completed 8 years of elementary education before the last working day of the academic year.

(2) The certificate shall contain details of academic progress of the child and specify its achievement in curricular and co-curricular activities. Academic Authority/ the DSERT shall design a model format and notify in the public domain.

PART- VIII

PROTECTION OF RIGHTS OF CHILDREN

21. State Commission for Protection of Child Rights. (1) The Karnataka State Commission for Protection of Child Rights set up under the provisions the Commission for Protection of Child Rights Act 2005, shall be the Commission for the purpose of section 31 of the Act and shall protect the rights of child under the Act.

(2) Karnataka State Commission for Protection of Child Rights shall monitor and inquire into grievances or complaints of violation of child rights and initiate action as deemed fit.

22. Constitution and Functions of the State Advisory Council. - (1) The Karnataka State Advisory Council for Elementary Education shall have a Chairperson and fourteen members.

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(2) The Minister-in-charge of Primary and Secondary Education in Karnataka shall be the ex-officio Chairperson of the Council and the Secretary to Government, Primary and Secondary Education, shall be the Vice-Chairman of the State Advisory Council. The Commissioner for Public Instruction shall be the Member Secretary of the Council.

(3) Members of the Council shall be appointed by the Government from amongst persons who have done outstanding work in the field of elementary education in the state, as under.-

(a) At least four members should be from amongst persons belonging to Scheduled Castes, Scheduled Tribes and Minorities, At least one person from amongst those persons having specialised knowledge and practical experience of education of children with special needs. One member from amongst persons who have worked in the field of pre-primary education. members shall be from amongst persons who_ have worked in the field of elementary teacher education. The other members from amongst persons who have worked in the field of elementary education. Fifty percent of the members amongst the 14 shall be women.

(b) The Commissioner for Public Instruction, the Additional Commissioners for Public Instruction, State Project Director Sarva Shiksha Abhiyana, Rashtriya Madhyamika Shiksha Abhiyana, and Directors of Primary, Secondary Education, Urdu and other Minorities and DSERT shall be the ex-officio members.

(c) The Council shall meet regularly at least twice in a year and review the status of elementary education in the state. The Council shall also monitor implementation of the Act and these rules and make recommendation to the Government from time to time.

(d) The Council shall be reconstituted every three years and no member shall be appointed for more than two terms.

(e) The non-official members of the Council are entitled to sitting fees, travel and other allowances, at a rate specified in Annexure A to the Karnataka Civil Service Rules.

PART - IX

MISCELLANEOUS

23. Prescribed Authorities and Procedure for taking action for Violation of the Provisions of the Act. - Section 35(1) the prescribed authority for previous sanctions for procedure under sections 13(2), 18(5), 19(5). of the Act is the Chief Executive Officer of the Zilla Panchayat of the district. It is the responsibility of the BEO of the block and DDPI of the district to report such cases to the CEO of the Zilla Panchayat of the district, who after satisfying himself may accord such sanction for procecuton under the said section.

(2) At the first level, the BEO on noticing violation of the Act or on receipt of a complaint about any violation of the Act by any person, shall issue a notice to the concerned school, management, School Development and Monitoring Committee and seek an explanation within fifteen days from the date of notice. If the reply is not satisfactory or fails to respond to the notice, he shall bring the violation to the notice of the DDPI and the CEO of the Zilla Panchayat.

(3) The DDPI shall cause a visit to the institution and enquire into the alleged violation and make a report to the CEO of the Zilla Panchayat, who shall give reasonable opportunity for such person who has violated and shall pass orders as deem fit. CEO of Zilla Panchayat shall pass such orders within one month under these rules.

(4) The CEO of Zilla Panchayat shall be vested with the powers to take action for any violation of sections 14, 15, 16, 17, 25, 28, 30, of the Act and also any violation under these rules. Detailed guidelines for taking action for such violation shall be issued by the Government.

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FORM - I

[see rule 11(1)]

**SELF DECLARATION CUM APPLICATION FOR GRANT OF RECOGNITION OF SCHOOL
(including CBSE. ICSE. GICSE/JBE. Any other Board)**

(See Sub-rule (1) of Rule 12 of the Karnataka Right of Children to Free and Compulsory Education Rules, 2011)

T0

1. The DDPL

.....**District**

2. BEO.

.....**Block**

.....**District.**

Sir,

I forward herewith a self-declaration regarding compliance with the norms and standards prescribed in the Schedule of the Right of Children to Free and Compulsory Education Act, 2009 and an application in the prescribed proforma for the grant of recognition toSchool, as per the Karnataka Right of Children to Free and Compulsory Education Rules, 2012, with effect from the commencement of the school year 2012-13.

Yours faithfully

(Signature & Seal)

Chairman of the Managing Committee/

Correspondent

Enclosure:

Place:

Date:

Received on..... by..._____

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ENCLOSURE TO FORM I**A. School Details**

1. Name of the School

2. Postal Address

3. Phone Number

With STD

Fax No.

4. Education Block

5. Education District

6. E-mail address

7. Jurisdictional Police Station

1. General Information

1. Year of Starting the Institution

2. Name of the Trust/

Managing Committee

3. Registration Particulars

Along With Registering Authority

(Enclose a copy of certificate)

4. Name/Address of the Chairman of the Managing Committee

5. Copies of Audited Accounts of the Trust/ Society for the past 3 years

2. Nature of the School

1. Medium of instruction.....

2. Type of School State/CBSE/ICSE/ Any other.

2. Classes run by the school I to IV/I to V/I to VII/I to VIII/

3. Aided/Unaided

4. Whether school is recognised

5. If so, by which authority

6. Recognition No. & Date (enclose a copy)

7. Does the school has own building/rented building

8. Whether the school buildings/ grounds are used for any other purpose/ non educational activities

9. Whether each class has a separate class room

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D. School Enrolment

Class	No. of Sections	Boys	Girls	Total
1. Pre- Primary				
2. Primary I to V				
3. VI - VIII				
Total Strength				

1. Pre- Primary
2. Primary I to V
3. VI - VIII

Total Strength

E. Infrastructure

Infrastructure

1. Class rooms with size
Average number of children studying in each class
Whether each room has suitable age appropriate furniture
2. Office and other Rooms
3. Library
N0. of Books
N0. of Periodicals/~ News Papers
4. Laboratory
List of equipment
List of AV Equipment
5. Sports Materials
Games played in the school
6. Details of Drinking Water Facility
7. Whether all rooms provided with barrier free access
8. Number of Urinals/WCs with water facilities
For Boys
For Girls

F. Schedule of Establishment

(Please enclose, along with latest passport size photos of the staff)

- G.** (a) Details of Curriculum & Syllabus followed in each class from I to VIII
(b) Extra text books/ work books if any prescribed for each class.

Certificates:

1. Certified that the information furnished above is true and correct.
2. Certified that the institution is open to inspection by any officer authorised by the appropriate authority.
3. Certified that the school undertakes to furnish such reports and information as required by the Karnataka State Education Department from time to time, which may be required to remove any deficiency in the working of the school.

Chairman, Managing Committee School

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FORM - II

[see rule 1(4)]

OFFICE OF THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION.

.....District

No.....*Date*.....**The Chairman/Correspondent**

.....School

.....Block

Subject: Recognition Certificate for the school under sub-rule 4 of Rule 12 of Karnataka Right of Children to Free and Compulsory Education Rules, 2010 and under section 18 of Right of Children to Free and Compulsory Education Act, 2009 .

Sir / Madam

With reference to your application dated.and subsequent correspondence with the school/inspection by departmental officers, I convey the grant of provisional recognition to the school, located at.for classes.for a period of three years and subject to fulfilment of following conditions:

1. This is a provisional grant of recognition under the RTE Act and rules and is not extendable beyond Class VIII.
2. The school shall abide by all the provisions of the RTE Act 2009 and the RTE Rules 2010 referred here in.
3. The school shall admit in Class I, to the extent of 25% of the strength of the class, children belonging to weaker sections and disadvantaged groups in the neighbourhood and provide free and compulsory education till completion of elementary education. Provided that if the school admits children in pre-primary classes also, the school shall follow these norms. The children so admitted shall not be discriminated from the rest of the children or segregated or treated separately in any manner.
4. For the children referred in paragraph 3, the school shall be reimbursed as per section 12(2) of the Act. In order to receive such reimbursements, the school shall open and maintain a separate bank account which is subject to audit by the department.
5. The Society/ School shall not collect any capitation fee or voluntary donations from the parents of children at any time either during admission or during the course of the academic year. The school shall collect only tuition and other fee as approved by the department. The scale of fee shall be notified by the school and displayed prominently in the school premises.
6. The school shall not subject the child or the parents to any screening procedure including any test and interview.
7. Admissions shall be made only during the period notified by the department.
8. The school shall not deny admission to any child

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- (i) for lack of age proof.
 - (ii) on grounds of caste, religion, race or place of birth, language.
 - (iii) If admission is sought subsequent to the extended period of admission
9. The school shall ensure:
- (i) No child admitted shall be held back in any class or expelled from school till completion of elementary education in a school.
 - (ii) No child shall be subjected to physical punishment or mental harassment.
 - (iii) No child is required to pass any Board examination till the completion of elementary education.
 - (iv) Every child completing elementary education shall be awarded a certificate as laid down under Rule 21.
 - (v) The school shall also admit children with special needs/ special children as per provisions of the Act.
 - (vi) The teachers recruited have minimum qualifications as is prescribed for elementary school teachers in the RTE Rules.
 - (vii) The salary and allowances payable to and the terms and conditions of service of teachers shall be as prescribed by the state government and the salaries are paid to teachers only through bank .
 - (viii) The teachers perform the duties prescribed under section 24(1) of the Act and Rule 17 of the RTE Rules and shall not engage themselves in private tuitions for monetary considerations.
10. The school shall follow the curriculum and text books of the academic authority to which it is affiliated.
11. The school shall admit students in proportion to the facilities available in the school as prescribed in the section 19 of the Act.
12. The school shall maintain the norms and standards as specified in section 19 of the Act. The deficiencies noticed by the departmental staff are given in the annexure.
13. The school shall not run any unauthorised classes/ sections either within the school premises or outside.
14. The school buildings and other infrastructure facilities should not be used either during day or night for any commercial activities or for political and non-educational activities.
15. The school shall not be run for profit to any individual or group or association of persons.
16. The Accounts of the school are audited by a Chartered Accountant and a copy of such audited statements is sent to the DDPI/BEO by end of June every year.

Yours faithfully

Deputy Director of Public Instruction

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FORM - III

[see Rule 8(6)]

HALF YEARLY COMPLIANCE REPORT BY PRIVATE AIDED AND UNAIDED SCHOOLS

[July and January]

1) Name and Place of School:	2) School DISE code :
3) Year of Establishment:	4) Aided / Un-aided / Partly Aided
5) Standards in School : Pre-Nursery. PG1, PG2, Standards 1 to 5. 1 to 7. 1 to 8	

Total Strength	Pre-Nursery	PG 1	PG2	Standard I	Remarks
No. of Children admitted under RTE quota	This table will get updated for higher standards along with passage of time
Proportion	

6a) (RTE) children by Sex

B	G	SC	ST	OBC	Minority	Others	Total	(CWSN if any)

Social Category:

7) Attendance of (RTE) children: [July to December in January Report]

Range	100%	90 to 99%	80 to 89%	70 to 79%	60 to 69%	<60%	Total Children
Specify Nos.							

8) Performance of RTE Children [in Mid-Term (if any) / Final Examination]

Range	A+	A	B+	B	C+	C
Specify Nos.						

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- 9) Did the school organise special training for children whose grades were C+ and C. Yes / No.?
[if yes. give details]
- 10) Why is the attendance less than 60 percent for ... Children (as applicable)?
Give reasons
- 11) Did any child take a transfer to some ether school? Yes / No.
If yes, give details.
- 12) Was any child detained in the previous standard? Yes / No. [Number...]
If Yes.
12 (a). Is it on the basis of
(i) Attendance (ii) Performance (iii) Both or (iv) Discipline.
12 (b). Is special training being given to children under -Sl.No.12 (a) (i) and
- 13) Have you received all the entitlements due to be given to RTE children from government ?
[July Report]. Yes / No.
If No, give details of non-receipt.
- 14) Have you received reimbursements of unit costs for all children admitted under RTE provisions 'P'
Yes / No. If No, give details.
- 15) Have you received any written complaints from parents regarding schooling of their children ?
Yes / No. If yes, give details. '
- 15 (a) Do you have any serious complaints on parents regarding their children's schooling habits.
Yes / No. If yes, give details.
- 16) Any other information. would like to report ;

By order and in the name of the Governor of Karnataka,

I.F. MAGI

Special Officer and Ex-Officio
Under Secretary to Government
Education Department (Planning)

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