

**REPORT OF  
THE K E R REVIEW COMMITTEE**

**KERALA EDUCATION RULES**

**June 2000**

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## KER Review Committee

*(As constituted by G.O (MS) 460 /96 / G.Edn dt. 23-12-1996)*

Dr. K. Gopalan	Chairman
Shri. K. Jayakumar <i>Secretary to Government, General Education</i>	Member Secretary
Shri. V.M. Kurian <i>Advocate</i>	Member
Smt. Lida Jacob <i>Director of Public Instruction (till 5 April 2000)</i>	Member
Shri. V.P. Joy <i>Director of Public Instruction (from 12 April 2000)</i>	Member

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# I TERMS OF REFERENCE (TOR)

- Critically view such provisions of KER which have led to a proliferation of litigation at various levels.
- Review the appellate and revisionary powers of the various education officers and the Government and re-define their jurisdictions.
- Scrutinise the provisions of KER and make it compatible with the Local Self Government Institutions (LSGIs) which have come into force consequent to the Constitutional amendments.
- Identify the provisions of KER which are contradictory and irrelevant in the present day context and suggest suitable modifications.
- Identify the provisions of KER often leading to long drawn-out procedures causing eventual delay in administration of justice.
- Review the relevant notifications and orders issued from time to time that has made the interpretation of KER difficult.
- Identify areas uncovered / not contemplated in the KER, in the context of the fast changing socio-economic situation and make the KER resilient to the changing needs of society.
- Explore the possibility of making KER an effective instrument

for quality improvement maintaining / achieving excellence in the field of education.

- Streamline the existing picture of ambiguity with regard to specialist teachers in conformity with the need to instruct the students in music, art and physical education.
- Study in detail the mechanics and methodology of staff fixation in particular and its allied issues and suggest alternative procedures to make staff fixation more relevant to quality in education and provide better sense of security and responsibility to the teachers of aided schools.
- Evaluate the circumstances which lead to the phenomenon of protected teachers and indicate suitable changes including alteration of existing staff student ratio to prevent recurrent instability.
- Consider the fact that the Kerala Education Act and rules do not envisage the classes beyond 10th standard and suggest suitable changes to make the Act and rules applicable and relevant to the Higher Secondary education and Vocational Higher Secondary education streams especially in view of the impending delinking of Pre-Degree from colleges.
- Study the social and educational aspects of uneconomic schools and suggest the norms for their continuance with justifications.

- The committee shall afford an opportunity to the various sections interested in the field of education to present their ideas / suggestions. If the committee feels necessary to compare the systems prevailing in other states, the committee is free to undertake such visits as are necessary.
- Over and above the specific Terms of Reference mentioned above the committee shall be free to study and suggest modifications in the KER to achieve the implicit objectives with which the committee has been constituted.

## II CALENDER OF SITTINGS

- 14 Feb.1997 : SCERT building  
**First meeting to draw up plan of action and time frame**
- 24 April 1997 : SCERT building  
**Formulation of a schedule of action**
- 20, 21 June 1997 : SCERT building  
**In-depth discussion of TOR and finalisation of methodology**
- 11 Dec.1997 : Government guest house,  
Thiruvananthapuram  
**Meeting the representatives of teachers' organisations.**
- 22 Jan. 1998 : Ramanilayam, Trichur  
**Meeting the representatives of managers' associations and non-teaching staff associations.**
- 13 Feb.1998 : Collectorate conference hall, Kozhikode  
**Meeting of the education officers of the northern districts.**
- 24 March 1998 : Collectorate conference hall, Alapuzha  
**Meeting of the education officers of the southern districts.**
- 23 May 1998 : Hotel Ganam, Ernakulam  
**Evaluation of the materials generatedl l in the discussions.**



- 12 Oct.1998 : SCERT building  
**Discussion on the revision in the Kerala Education Act**
- 04 Feb.1999 : SCERT building  
**Finalisation of the revision in the Act and discussion on the draft rules.**
- 25 Feb.1999 : SCERT building  
**Discussion on the various suggestions to be incorporated in the Act and rules**
- 11 May1999 : SCERT building  
**Discussion of the final draft rules from chapters I to X.**
- 05 June1999 : SCERT building  
**Discussion on the final draft rules from chapters XI to XVII.**
- 05 Jan. 2000 : Government guest house,  
Thiruvananthapuram.  
**Discussion on the final draft.**
- 30 April 2000 : Ramanilayam, Trichur  
**Adoption of the final draft report.**

### III            STYLE GUIDE

In the matter of style, consistency has been observed in this report where clear rules do not exist. As far as possible unnecessary use of capital letters to denote institutions and functionaries has been avoided. Thus the following commonly used words and expressions in this report are spelt as *educational agency, minister, secretary, director, education officer, president, chairman, headmaster, principal, teacher, university, etc.* Where there is a widely used abbreviation, capital letters have been used for their expanded forms as in *Assistant Education Officer (AEO), District Education Officer (DEO), Director of Public Instruction (DPI), Board of Public Examinations (BPE), District Institute of Education and Training (DIET), Parent Teacher Association (PTA), State Council of Educational Research and Training (SCERT), Local Self Government Institution (LSGI)* and the like.

However, abiding by certain conventions Government has been spelt with a capital G. Various categories of schools are spelt with capitals like in *Lower Primary School, Upper Primary School, High School, Higher Secondary School, Vocational Higher Secondary School, etc.* The use of abbreviations has been minimised as this report is legislative in form and content.

## IV ABBREVIATIONS

AEO	Assistant Education Officer
BPE	Board of Public Examinations
CGE	Commissioner for Government Examinations
DDE	Deputy Director, Education
DEA	District Educational Authority
DEO	District Education Officer
DIET	District Institute of Education and Training
DPC	District Planning Committee
DPI	Director of Public Instruction
DSE	Director of School Education
ECD	Early Childhood Development
EDC	Education Development Committee
EDF	Education Development Fund
FBS	Family Benefit Scheme
GPF	General Provident Fund
HSS	Higher Secondary School.
JRC	Junior Red Cross
KEA	Kerala Education Act
KER	Kerala Education Rules
KSR	Kerala Service Rules
KSSSR	Kerala State and Subordinate Service Rules
LPS	Lower Primary School
LSGI	Local Self Government Institution

LTI	Language Teachers' Training Institute
NCC	National Cadet Corps
NCTE	National Council for Teacher Education
NCVT	National Council for Vocational Training
PET	Physical Education Teacher
PSC	Public Service Commission
PPTTI	Pre Primary Teachers' Training Institute
PTA	Parent Teacher Association
SABE	State Advisory Board of Education
SACCTE	State Advisory and Co-ordination Committee for Teachers' Education
SCERT	State Council of Educational Research and Training
TOR	Terms of Reference
TTC	Teachers' Training Certificate
TTI	Teachers' Training Institute
UEE	Universal Elementary Education
UPS	Upper Primary School
VHSS	Vocational Higher Secondary School

## V PREFACE

### 1. THE TASK AND THE METHODOLOGY

1.01 The Kerala Education Act and rules (hereinafter referred to as KER) is as much a social document as a piece of legislation. In the last four decades, this Act and rules were primarily responsible for streamlining the educational administration of the state and ensuring adequate educational facilities. The contribution of this legislation to the educational renaissance of Kerala has been, by no means, insignificant. However, no statute can remain impervious to the winds of socio-political changes. That has generated a gap between the provisions and the actual requirements, which provides the backdrop for the revision of this landmark legislation.

1.02 The Terms of Reference (TOR) given to the committee are comprehensive in scope and contents. Essentially the fifteen point TOR can be disaggregated into three broad categories. One relates to a new educational vision, another touches upon the procedural aspects and the third pertains to institutions and functionaries. The three aspects are organically interrelated, each gaining strength and dimension from the other two. In order to recast the procedural overload of the existing Act and rules, a new set of institutions and a new vision are essential. Similarly, a new vision becomes a mirage without supporting procedure and suitable institutions. Devoid of vision and supporting institutions, procedures can only perpetuate meaningless rituals. Therefore revision

of KER eventually leads to structural changes and a new sense of direction.

- 1.03 The task of review became increasingly complex, as the linkages between the existing provisions and the suggested changes had to be viewed in their totality. This took longer than expected. Consequently the committee had to grapple with an unforeseen quantum of work before finalising the report.
- 1.04 The committee after its initial deliberations on the methodology to be followed, arranged extensive discussions with all the stake holders in school education. In its regional meetings at Thiruvananthapuram, Alappuzha, Thrissur and Kozhikode, a large number of organisations, representatives of managers, teachers and nonteaching staff, concerned parents, educational officers and public men interacted with the committee. It was indeed an invaluable experience as it brought to focus a large number of abiding contradictions and constraints which characterise the educational scenario of the state. It is these discussions and open forums that revealed to the committee in unmistakable terms the frivolous nature of certain existing procedures and provisions. It highlighted the virtual abandonment of the concern for quality of education and clarity in administration. The initiatives taken by the department to augment the quality of education were, curiously enough, outside the ambit of KER. It appeared rather paradoxical that academic institutions like SCERT and DIET had no locus standi from the perspective of the existing KER. The fund of information, ideas and concerns that were gathered during the discussions had redefined

the task of the committee within the frame work of the TOR. It was evident that cosmetic corrections to the existing provisions would not justifiably address the issues raised. The approaches, the underlying value system and the biases in the existing Act and rules were woefully inadequate either to sustain a healthy system or to steer it towards the desired destination. Therefore the structure and tone of the Act and rules had to be entirely recast. This handicap had to be overcome by visualising new systems, procedures and institutions, inspired by a new set of values, viz. transparency, accountability and participation. What guided the committee in this revision and correction was the need to transform the KE Act and rules into an effective instrument of educational regeneration, relevant to the times and resilient to the changes. The committee was inspired by a vision of a progressive and forward-looking education that would harmonise global changes with local aspirations. In the light of this vision, a legislation on education should be able to unlock the intellectual and creative capabilities of our students so as to make them sufficiently resourceful to face the challenges and tap the opportunities thrown up by the information age.

- 1.05 The existing KER is predominantly restrictive in its tone. That was perhaps inevitable. It sought to bring uniformity and accountability in educational management in the early years of independence. This emphasis on the administrative aspects unwittingly led to a situation where core academic issues were left unaddressed. As a result, KER eventually became a tool for control, prohibition and often harassment.

Thus the KER became a fertile ground for disputes and litigation. In the final analysis, in its application, the searchlight of this seminal statute failed to fall upon the one category, the students, who are *the raison d'être* of education.

- 1.06 The committee had to reconcile three diverse strands while attempting these revisions. On the one hand there is a growing awareness about the inadequacy of educational standards in the state and a desire to improve the overall quality of education. On the other hand, this vital legislation has, over a period of time got mired in superficial administrative matters, oblivious of the quality of education. At the same time, sporadic initiatives and projects for improving educational standards continued to appear and disappear without any legislative support, sustenance or sanctity of the statute.
- 1.07 With this perspective, the committee has modified the Kerala Education Act by suggesting additions, amendments and deletions. The original Act has not been replaced; it has only been updated with a futuristic vision to suit the emerging needs of education. The Kerala Education Act now embraces new institutions and diverse activities. It reflects changes in attitudes and social values and takes note of a variety of political, economic, social and technological changes. A substantial number of enabling provisions are being suggested to respond to unforeseen demands and situations that are likely to be thrown up in future. The role of Local Self Government Institutions has not only been recognised in the Act but their responsibilities in educational administration have also been clearly spelt out.



- 1.08 It is indeed curious that while university administration provides for elected bodies with decision making powers, the entire spectrum of school administration is highly centralised and bureaucratically controlled. Needless to say that this has all along affected the quality of decision making in academic matters. This is sought to be corrected by constituting advisory committees and councils at various levels. This will, while bringing about distinct qualitative difference in decision making, lead to greater accountability and transparency. Although the existing Act too has provisions for certain bodies, they were seldom created or convened for want of compelling provisions in the Act. The proposed changes will make such bodies vibrant and functional.
- 1.09 In the times of democratic decentralisation of powers, it is only natural that concentration of power even in the hands of Government has to be diluted. The scope for arbitrary relaxation or retrospective application of the statutory provisions has to be curbed if district and sub district levels of administration can eventually be strengthened.
- 1.10 Unlike the suggested revisions in the Act which have to be suitably incorporated, the revisions proposed in the rules are more comprehensive in nature. They are drafted with a view to replacing the existing set of rules. These revisions had to take into account several court decisions, practices and precedents. The existing rules grew over a period of time and had become unwieldy, ambiguous and even contradictory at times. Many a chapter had become redundant and a large number of provisions lost their utility. The committee has deleted

such provisions, made suitable alterations and incorporated new provisions by which the rules acquire a new sense of purpose, clarity and direction.

- 1.11 In attempting this, the committee had to reconcile the original educational purpose of every rule with its operational efficiency. It was an exercise in balancing vision with pragmatism. Although meticulous care has been taken to ensure that the new set of rules encompasses the wide spectrum of situations and needs, it is not unlikely that some provisions in the existing rules may have been missed by oversight. Such unintended omissions will have to be verified by the Government, while acting on the recommendations.

## **2. AN OVERVIEW OF CHANGES**

- 2.01 Right from the simple definitions of schools and institutions to the complex aspects of staff fixation, the committee has consciously tried to value the rights of the child, rights of the children with disabilities and the constitutionally protected rights of the minorities. The new set of rules provides for the creation of a school atmosphere that will lead to the integrated education of the disabled children and subsequently to inclusive education.
- 2.02 Education has to cater to the needs of tomorrow and create empowered generations. No educational reform can afford to overlook the emerging patterns of technological development. In a knowledge-based networked world, the teaching of English acquires a new sense

of urgency. The committee after detailed deliberations recommends to introduce English as a subject right from standard I without upsetting a child-friendly pedagogy or compromising on the importance of the mother tongue. However, English as medium of instruction needs be available only from standard IV.

- 2.03 Our school buildings, even as they conform to the statutory minimum requirements, have always conveyed a sense of rigidity and uninspiring uniformity. The type design syndrome has only prevented the contribution of imaginative architecture. The revisions proposed seek to provide greater flexibility. This is a natural corollary to the child-friendly curriculum that has now been adopted. These revisions endorse a child-centered approach in the curriculum and the classroom practices, reflecting the shift of emphasis from teaching to learning. The committee recognises that the quality of education can be guaranteed only by constant training for which suitable institutions and mechanisms have been provided. Curriculum regeneration has been made an accountable process and the roles of the State Curriculum Committee, SCERT, and Government in this matter redefined.
- 2.04 The inspection by education officers has so far been fault-finding missions leading to vexatious objections and dampening of initiatives. While the inspectional functions are not being dismantled, their purpose is being modulated to be ameliorative and to mean academic support and correction. The underlying philosophy behind this change is the realisation that teaching and learning process is essentially an act of

discovery calling for the wholehearted involvement of the teacher and the student.

- 2.05 The proposed rules are significant in their emphasis on academic support, on-line correction, quality improvement and comprehensive evaluation. The rules have thus acquired a pro-active face highlighting development rather than deterrence.
- 2.06 The process of establishment and upgradation of schools as envisaged in the existing rules is a long drawn-out and complicated process. In fact as per the present rule it is impossible for a school with all facilities to get permanent recognition in the first year. These revisions seek to cut short this process and stipulate time bound action for every stage leading to the final recognition of a school. No doubt, it will cast new responsibilities on the Government and the department. While stipulating the facilities in the schools, the new technological environment has been taken into account. As a result, the future school laboratories will not hopefully look like abandoned museums of a bygone era.
- 2.07 The rights of the child find ample expression in the revised rules. The committee has proposed to ban physical punishment of any form in schools as it does not synchronise with the stage of social and moral development of our society. Similarly suitable changes are suggested in the Act and rules to correct gender biases. The committee is not in favour of separate schools for boys and girls. Shift system in schools is an unhealthy practice and has to be done away with sooner than later.

- 2.08 Drinking water facilities in schools are seldom available to the students. When available, it is often reserved for teachers. These rules make it mandatory to provide safe drinking water to every student. Similarly the need for clean toilets has not been wished away as a minor obligation in the rules. Separate toilets for the orthopedically disabled children are made obligatory. The definition of discipline as equivalent to meek obedience and the mechanical enforcement of discipline by punitive measures have been drastically revised.
- 2.09 The same idea underlines the correction suggested while removing an erring child from the rolls. An approach which relies on counselling, correction and confidence building is advocated. While the new idea of discipline contemplates a high level of decorum and moral values, the emphasis is more on correction and deterrence rather than condemnation and punishment.
- 2.10 Similarly the new code of conduct for teachers gives due weightage to the vision that the teacher should be a model to the students. These rules visualise a lofty level of moral and ethical values for the teacher. They call upon the teachers to continuously update their knowledge and skills so as to retain their relevance in a fast changing knowledge-centred society.
- 2.11 The tendency to close down schools after routinely issuing a notice is proposed to be revised by insisting on prior permission of the department. KER has become synonymous with disputes regarding

approval of appointment of teachers. The qualifications and method of appointment of teaching and non-teaching staff have been substantially left untouched. But suitable changes have been made in the qualifications in keeping with the norms laid down by NCTE. Considering the fact that school education now includes Higher Secondary, the minimum qualification of a pass in SSLC for certain teaching posts is proposed to be revised as a pass in Higher Secondary for prospective appointments.

- 2.12 The practice of granting extra marks in public examinations with a view to inflating results (popularly called moderation) has to be dispensed with as it smacks of academic dishonesty and leads to erosion of credibility.
- 2.13 The term specialist teacher is being changed to special subject teacher in the interest of clarity. There has been considerable chaos with regard to the appointment criteria of special subject teachers, especially in the Upper Primary section. Taking an academically prudent view, the committee suggests to have a special subject teacher in every Upper Primary School having at least 100 students with provision for additional teachers commensurate with the strength of pupils.
- 2.14 The present practice of issuing staff fixation orders after the verification of effective strength by an education officer has outlived its utility for the simple reason that the stipulated time limits are almost always observed in their breach. As a result, the process of staff fixation is

dragged on till the end of the academic year defeating the very purpose of this provision. The uncertainty that pervades the appointment of teachers in aided schools has been a source of harassment and agony. The committee considered various options by which staff fixation and approval of teachers could be streamlined and completed as a time bound process. Calculating the effective strength cannot be dispensed with as long as Government pays the salary. The process of ascertaining the effective strength is sought to be dramatically revised. The existing practice of the education officer visiting the school at his convenience and issuing the staff fixation order leisurely has been a source of frustration. Instances are not rare where the appointment of a teacher continues to be uncertain even after two or three years. Considerable solace could be expected from the newly suggested method of the verification visit followed by on-the-spot staff fixation order to be issued by the officer. The suggested system of 'on-the-spot verification' will drastically reduce, if not eliminate, the room for suspicions and complaints. The act of staff fixation is essentially a simple process which could be completed then and there. No useful purpose is served by mystifying the process by further scrutiny and analysis. No fresh material enabling a better scrutiny and analysis is necessary for finalising the eligible staff strength. Whatever background materials are necessary, they can be carried by the officer who can be assisted by his staff, if necessary. Here again the committee has attached a premium for accountability and transparency.

### 3. GENERAL OBSERVATIONS

- 3.01 Chapter XXXI of the existing KER deals with the qualifications of teachers. It is not felt necessary to reproduce that chapter in toto as part of this report. What ought to have been part of a special rule has by convention found a place in the KER. The committee would advise the Government to study the feasibility of framing a comprehensive set of special rules for the school teachers of all stages of school education, including Vocational and Higher Secondary. This is only a rational response insofar as all these stages form an integral and continuous part of school education. Such a comprehensive set of special rules governing the qualifications, methods of appointment and the scope for upward mobility will go a long way in making the school a well-knit unit with better administrative cohesion.
- 3.02 While the existing qualifications for appointment as teachers in aided and Government schools are left substantially untouched, the committee is compelled to suggest certain modifications taking into account the changed academic environment.
- 3.03 That the Higher Secondary stage has now been made an integral part of school education has to be given due consideration while suggesting changes in the academic qualifications of teachers. The minimum qualification of a pass in SSLC for certain categories of teachers has to be revised as a pass in Higher Secondary. It is only rational to argue that the teachers in a school should have passed the highest stage of the school system. Corresponding changes have to be made



in the qualifications for admission to TTC as well as other qualifying examinations which too have to be revised to a pass in standard XII. Besides, the various pre service training programmes will have to necessarily conform to the norms laid down by the NCTE. Certain traditional examinations which have been recognised as qualifications equivalent to university degrees, TTC or B. Ed may either be phased out or their standards adequately raised.

- 3.04 The minimum qualification for appointment as Lower Primary School teachers may be stipulated as Higher Secondary with TTC, while a degree recognised by any of the universities in Kerala with B.Ed may be fixed as the minimum qualification for appointment as Upper Primary School teachers.
- 3.05 It would be imprudent to ignore the role and importance of English. The committee is of the strong view that the present practice of any graduate teacher being allowed to engage English classes has to end. A degree in English language and literature or in English language teaching with B. Ed. should be made an essential qualification for teaching English from Upper Primary classes.
- 3.06 The post of the principal of a Higher Secondary or Vocational Higher Secondary school can be filled up by promotion and on the basis of seniority from among the qualified High School headmasters provided he has the minimum qualification for appointment as a Higher Secondary or Vocational Higher Secondary teacher. In such schools

there can also be a post of vice principal which can be filled up by promotion from among regular teachers at the Higher Secondary or Vocational Higher Secondary stage. These details will have to be suitably incorporated in the comprehensive special rules suggested earlier.

3.07 In this fairly exhaustive revision of the KER, the committee has consciously tried to ingrain a new set of values in the educational administration in the state. There cannot be a statute for all times, but what could be attempted is to make it as resilient as possible to the kaleidoscope of changes. The revisions pre-suppose a new openness and responsiveness in administration. The committee also realises that the implementation of these provisions which call for changes in procedures, practices and attitudes will invite resistance. The Government has to demonstrate considerable will power, if these recommendations are not conveniently distorted or ignored. Education officers who are used to irrational practices will have to be enlightened by a systematic awareness and familiarisation programme on the attitudes and approaches of the new KER. This has to be a sustained effort if tangible results should emanate out of the revisions.

3.08 The existing KER bears the imprints of an administrative history characterised largely by ad-hocism. The plethora of executive orders and amendments issued from time to time to tide over temporary inconveniences have given room for contradictory implications and unintended interpretations. It has become a near impossible task for a

teacher to keep pace with these rather chaotic changes. As a result, rightful benefits have often been denied. While the committee feels that the Government should restrain itself from making frequent amendments and issuing glib executive orders, the committee also recommends that Government should annually publish a compendium of such amendments and orders with a proper index.

- 3.09 Though the committee has drafted a new set of rules, corresponding changes in the forms to the rules have not been attempted. This will have to be addressed by the Government in a spirit of user-friendliness and demystification
- 3.10 The committee is fully aware of the magnitude and the social significance of its task. Our efforts will be rewarded if the Government and the stakeholders in education in the state are able to initiate the required legislative process to make the KER an effective instrument to forge an education that will do justice to the intellectual and social needs of the future generations.
- 3.11 I wish to acknowledge the valuable support extended to me by the members of the committee and the assistance rendered by the committee secretariat.

30. 04 . 2000

**Dr. K. Gopalan**  
Chairman  
KER review committee

## VI HIGHLIGHTS OF RECOMMENDATIONS

### 1. THE KERALA EDUCATION ACT

- 1.01 A review of the Kerala Education Act and rules is essentially a process of harmonising legislation with social change. Accordingly the committee has recommended substantial and wide-ranging changes.
- 1.02 To begin with, the spectrum of definitions has been widened to accommodate the emerging trends and dimensions in the area of education. The office of the Director of Public Instruction (DPI) is sought to be renamed as Director of School Education (DSE) as the existing expression does not reflect the shift in attitudes, whereby education is more of learning than of instruction. The DSE should be designated as the Commissioner for School Education to ensure administrative co-ordination. The various stages of school education have been spelt out as a continuum from the stage of Early Childhood Development (ECD) to Higher Secondary including Vocational Higher Secondary. The existing divisions as LP School (standards I to IV), UP School (standard V to VII) and High School (standards VIII to X) are recommended to be revised to include standard V in LP section, and standard VIII in UP section in keeping with the national pattern of 5+3+2+2. The other major changes in nomenclature are High School teacher for High School Assistant (HSA) and special subject teacher for specialist teacher
- 1.03 The regulatory and restrictive tone of the various provisions of the

existing Act has been modulated to make them instruments of academic support and human resource development. The concept of inspection has been expanded to include academic support, monitoring and supervision. The new role of Local Self Government Institutions (LSGI) in education has been duly incorporated in the Act and rules and their involvement institutionalised. An Education Development Fund (EDF) to be constituted and utilised by the LSGIs for taking up various developmental measures in schools is contemplated. An Educational Development Committee (EDC) at the school level and District Educational Authority (DEA) at the district level with specified functions are suggested, which will translate the benefits of decentralisation into meaningful interventions.

- 1.04 The existing Act has only a permissive provision to set up a State Education Advisory Board (SEAB). However, this has not been effectively invoked. The suggested provision in the Act makes the constitution of a State Advisory Board of Education (SABE) mandatory and its role more proactive. Institutions like school staff council, school cluster and Parent Teacher Association (PTA) have been given statutory validity. New institutions like SCERT and DIETs have been suitably brought within the ambit of the Act and rules with clearly defined duties and responsibilities. DIETs which were conceived by the Central Government as training centres for the enrichment of primary education, are proposed to be elevated to district centres providing academic support to the various educational

initiatives at all levels of school education. Besides the above, a new provision is being incorporated to enable the Government to form new institutions, organisations or missions to creatively respond to educational needs as and when felt necessary.

- 1.05 Practical difficulties in taking over the management of an aided school and the educational inconvenience caused by the existing provisions are sought to be redressed. The management of a school that has been taken over can now be returned any time if the educational agency satisfies the requirements. The uncertainty about schools taken over beyond five years has been removed by incorporating suitable provisions.
- 1.06 Despite commendable achievements in the area of universalisation of elementary education, the compulsion and obligation to send children to school is being retained. However, the time limit of ten years prescribed in the existing Act to achieve universalisation is being dispensed with to make it a perpetual task.
- 1.07 The retrospective operation of rules has unsettled many a settled issue and paved the way for litigation. It is therefore proposed to circumscribe this power of granting retrospective effect by insisting on reasons to be stated warranting such retrospective application of rules. This is felt necessary to ensure judicious application of this provision.
- 1.08 The changes suggested in the Act recognise the truth that attainment

of quality in education is a constant process calling for responsiveness and innovation. The proposed changes seek to make the Act an effective instrument of change.

2. **THE KERALA EDUCATION RULES**

2. 01 The corpus of existing rules contains a large number of amendments and additions made in the past 40 years. Many of them are irrelevant, contradictory and obsolete. The various judicial interventions and interpretations have also led to the framing of new rules. As a result the educational focus of the rules has become blurred, with increasing ambiguities and consequent disputes. The changes proposed try to bring back the rules to their intended orbit and make them perform the prime function of implementing the vision and provisions of the Kerala Education Act.
2. 02 In keeping with the widening of the spectrum of school education, a large number of existing institutions have been brought under the classification of schools. While discussing the parameters of pre-service Teachers' Training Institutes (TTIs), the guidelines of the National Council for Teacher Education (NCTE) have been duly taken into account.
2. 03 The site and building requirements have been rationalised. The type design culture is sought to be dispensed with, providing scope for flexibility and innovation in the design of school buildings, without compromising on the requirement of space or safety. This flexibility is

being given not as a concession but as an opportunity to design school buildings and premises in consonance with the idea of a child-friendly and activity-oriented classroom.

2. 04 The LSGIs have been given the responsibility of ensuring the safety and security of school buildings. The rules make it mandatory to provide safe drinking water and toilet facilities. The special needs of children with disabilities will have to be adequately reflected in the design of school buildings and toilets. The rules discourage the continued use of thatched sheds and temporary accommodation.
2. 05 The rules envisage schools with well equipped laboratories, libraries, teaching-learning materials and modern devices including computers. The present diffidence to utilise the materials available for effective teaching is sought to be removed by making the headmaster and teachers responsible for their utilisation.
2. 06 The procedure for the establishment, recognition and upgradation of schools has been made more transparent and time bound. The procedure leading to area notification will now be initiated by the Government. The requirement of an educational survey as a prerequisite for opening new schools is dispensed with, as large scale opening or upgradation of schools is no longer relevant. Ad-hoc exercise of discretionary powers is being limited, by insisting upon a stipulated time frame for each step.
2. 07 An application fee for establishment of new schools or upgradation of



schools is being prescribed. Further, the present practice of asking for an unproductive financial guarantee from applicants of unaided schools is being replaced by a registration fee, which could be revised from time to time.

2. 08 As per the existing provisions, permanent recognition of a new school/ standard may be elusive even after providing all the required facilities. The new rules make it mandatory on the part of the educational officer to issue recognition for such schools within three weeks from the date of application. Rectification of defects is also similarly governed by a time limit. There is a new stipulation to exhibit the order of recognition in every school.
2. 09 The revised rules provide an enabling provision for the director to delink the primary section of a school with the permission of the Government, when the strength of pupils is disproportionate to the facilities available. However, segregation of schools on the basis of gender is discouraged.
2. 10 The existing provision where an educational agency can close down a school after giving notice to the director has been fortified by requiring to intimate the intention of closure before one year and complete the formalities.
2. 11 The purpose of inspection of schools has been redefined as academic support. The thrust of inspection will no longer be fault finding but academic enrichment. The rules provide sufficient flexibility for the

director to arrange for special inspection or visit by experts or other authorised persons. There will be a regular academic support system co-ordinated by the SCERT and DIETs, which will ensure the necessary convergence between the various schemes and programmes.

2. 12 The inspection by education officers is sought to be more comprehensive and holistic in nature. It shall be an occasion to critically evaluate the academic, administrative and co-curricular activities of the school.
2. 13 Admitting a student after private study will now be restricted to children with disabilities and those prevented by exceptional circumstances from attending regular school and limited to a stage upto standard III. The existing provision of freely allowing private study up to standard V has led to unintended parallel streams and hence this modification.
2. 14 The curriculum transaction and evaluation practices have been given a new orientation by making the classroom practices more dynamic and participatory. The process of the preparation of curriculum and its eventual approval has been streamlined. The functions of the State Curriculum Committee have been defined. The sensitive task of curriculum, syllabus and textbook preparation by SCERT has been made more participatory, accountable and responsive to the emerging educational needs. It is also stipulated that major curriculum changes shall be preceded by an approach paper.

2. 15 The existing encouragement given to the study of languages has been retained. However the stage at which English would be introduced as a language has been brought down to standard I, in keeping with the demands of the technological changes that characterise our times and to maximise the academic benefits of students. However the medium of instruction should be in the mother tongue upto standard III.
2. 16 The new rules insist that even schools seeking affiliation to any central board will have to follow the curriculum and syllabus prescribed by the state Government up to the stage where regular affiliation is obtained. This will prevent the unhealthy and distorting presence of parallel streams of education in the primary classes without any academic accountability. The existing provision to allow private study in the primary classes which has inadvertently led to the phenomenon of unrecognised schools is recommended to be selectively applied to children who are prevented from seeking admission to a regular school on account of special debilitating circumstances.
2. 17 These rules envision a method of curricular transaction which provides equal opportunity to every pupil for self expression and creativity. While defining the role of the teacher in the classroom, his responsibility to inculcate appropriate social and moral values in pupils is highlighted. Government's obligation to make available the benefits of modern communication technologies for effective classroom transaction has been made mandatory. The purpose of evaluation will no longer be

to merely test memory but to discover the strengths and weaknesses of every pupil by a continuous and comprehensive process.

2. 18 Discipline in schools is being given a wider interpretation from being a narrow compliance to rules and meek obedience. By the enforcement of proper discipline, a child should be provided with a conducive environment for the proper flowering of his personality by suitable action of deterrence and correction. It is not condemnation of an erring pupil but his reformation that is envisaged. Corporal punishment is sought to be prohibited.
2. 19 The collection and utilisation of special fees has been rationalised. The various activities for which such fees can be utilised have been spelt out, leaving sufficient flexibility to the schools for need-based utilisation of the special fee fund. The present practice of depositing this fund in non-interest bearing account in the treasuries is felt to be unnecessary. Instead, the operation of a savings bank account is desirable. The present practice of collecting tuition fee from students detained in standards VIII to X has been dropped.
2. 20 These rules recognise the importance of a good library and the service of a competent librarian in a school. LSGIs or PTAs are being given permission to engage qualified persons as librarians for a High School or a cluster of High Schools. In Higher Secondary Schools, the post of librarian is however essential.
2. 21 While leaving the present qualifications of teaching and non-teaching

staff generally unaffected, the rules propose to raise the minimum qualifications for prospective appointment of certain categories, from a pass in standard X to a pass in Higher Secondary. This is necessary not only in the context of introduction of Higher Secondary in schools but also in the interest of academic standards. The qualifications for teacher educators are also being raised to suit the norms laid down by the NCTE. The lack of effective co-ordination between the content and approach of the B.Ed courses and the expectations and requirements of the school education system has always been poignantly felt in the area of teacher education. A new State Advisory and Co-ordination Committee for Teachers' Education (SACCTE) is being suggested.

2. 22 Certain anomalies causing undue hardship to staff have been rectified. The insistence on probation in every promotion post has been dispensed with. The conflicting claim to a post by a person on promotion and by a retrenched person for reappointment is being reconciled by taking into account the total length of service of the claimants as the basis.
2. 23 The right of a teacher to request for reversion on valid grounds has been incorporated. Further a new provision has been made to protect the right of an employee in the lower post in the event of reversion. The lacuna in the existing rule regarding the right to relinquish promotion has been corrected by a new enabling provision.

2. 24 The approval of appointment of staff in aided schools is often a long drawn-out process. The lack of clarity in the existing provisions leading to such protracted procedures has been addressed by providing time limits and simplifying procedure.
2. 25 The sanction of leave without allowance is governed by general rules. It is proposed to incorporate a suitable provision in these rules to enable the deputy directors to sanction leave without allowance exceeding 120 days.
2. 26 With regard to the disputes over management, the rules propose to permit the education officer to appoint a suitable person as interim manager to manage the affairs of the school during the pendency of the dispute. However, this permission is limited to six months to prevent the possible abuse of the provision.
2. 27 It has been proposed to allow only provisional appointments in the event of a school being taken over. Persons so appointed will not have claim for future posts. The tendency to make temporary appointments and create future claimants can thus be discouraged.
2. 28 The existing practices relating to the surrender of an aided school are too diffused. The procedure for surrender is being simplified in the revised rules.
2. 29 The general conduct of teachers outlined in these rules is inspired by the lofty ideals of the teaching profession. From a mechanical listing

down of duties, the new rules endeavour to elicit high moral standards and academic commitment from the teachers.

2. 30 The process of staff fixation on the basis of strength of pupils has been an area of procedural wrangles and long drawn-out disputes. It is proposed to streamline and simplify the process without diluting the existing checks and balances. The maximum strength of pupils in a class is sought to be reduced to 40, with a provision to progressively reduce this further in due course. In every primary school the post of a headmaster without the charge of a class is being proposed in the interest of better academic management of schools. Similarly a post of additional headmaster is suggested in schools with more than 75 divisions.
- 2.31 A post of special subject teacher (specialist teacher) of any category is being proposed in every Upper Primary School with a minimum strength of 100 pupils. If necessary, the strength of the Lower Primary sections can also be reckoned for this purpose. A second special subject teacher can be allowed if the total strength exceeds 500. In such cases, one of the posts shall be that of a Physical Education Teacher. The existing pattern in which only one Physical Education Teacher would be allowed in a High School, regardless of strength, is being rationalised by suggesting an additional Physical Education Teacher in schools with more than 30 divisions.
2. 32 The existing rules governing subject ratio of teachers in High Schools have been modified. The present grouping as general science,

mathematics and social science will now be disaggregated as physics, chemistry, botany, zoology, mathematics, geography, history, economics and English. This is to ensure the availability of teachers qualified in the respective subjects. The practice of teaching English by any High School teacher has to be discontinued under the suggested dispensation.

2. 33 The provision to complete the staff fixation before July 15<sup>th</sup> is today observed in its breach. Under the existing practice, such a stipulation is impractical. It is therefore suggested that the education officer shall conduct the physical verification of strength and issue the provisional staff fixation order on the spot, immediately after verification.
2. 34 The existing Act and rules are silent about the education of children with disabilities. Special provisions have been made in tune with the current thinking and legislation on the subject to provide inclusive education and ensure academic justice. The special schools envisage suitable facilities for effective training of children with severe disabilities. The need for setting up institutions for training of special educators is also contemplated.



**Kerala Education Act, 1958**  
Proposals for revision and new provisions

**Kerala Education Act, 1958**  
Proposals for revision and new provisions

**PREAMBLE**

WHEREAS it is necessary and expedient to provide for better organisation, management and development of a system of school education to meet the dynamic educational needs of the state of Kerala;

AND WHEREAS it is deemed necessary to empower the pupils through education to meet the challenges and harness the opportunities of the times;

AND WHEREAS it is imperative to revise, update and consolidate the laws governing all the stages and areas of school education as to make them responsive to the pedagogic innovations, technological opportunities and the various initiatives and trends for resource development;

BE it enacted .....

**PART I  
PRELIMINARY**

**1. Definitions**

- (1) **‘Aided school’** means a school recognised by Government as such and which receives grant from Government for annual maintenance and whose teaching and non-teaching staff receive salary and other benefits incidental thereto, from Government.
- (2) **‘Commissioner for School Education’** means one of the directors, preferably the Director of School Education who shall be designated by Government as the Commissioner for School Education to ensure proper co-ordination among the directorates.
- (3) **‘Department’** means the department of school education or the department of Higher Secondary education or the department of Vocational Higher Secondary education, or any other department created in the area of general education as the case may be.
- (4) **‘Director’** means the Director of School Education (Director of Public Instruction) or the Director of Higher Secondary Education or the Director of Vocational Higher Secondary Education, as the case may be, or such other officer who may, from time to time, be appointed by Government to exercise all or any of the powers entrusted with him and who shall have academic, administrative and inspectional functions in respect of the institutions under the respective departments.
- (5) **‘District Educational Authority (DEA)’** means a committee established by the District Planning Committee constituted under section 53 of the Kerala Municipality Act, 1994.

- (6) **‘District Institute of Education and Training (DIET)’** means an institution established by Government at the district level as a resource centre for imparting training to teachers and teacher trainees and to provide academic resource support for successful implementation of programmes and schemes in the area of general education.
- (7) **‘Early Childhood Development (ECD)’** means the pre-school stage of comprehensive child care, designed to nurture the physical, cognitive and emotional development of children.
- (8) **‘Educational agency’** means any person or body of persons permitted to establish and/or maintain any recognised school either aided or unaided, and includes institution, organisation, society and any other agency so permitted under this Act.
- (9) **‘Education officer’** means an officer of the department, having administrative and inspectional powers over the schools and institutions within the area of his jurisdiction and includes any officer having appellate, revisionary or supervisory powers under the Act and rules.
- (10) **‘Employee’** means any person duly appointed in a Government school or a recognised school, either aided or unaided, as a member of teaching or non-teaching staff.
- (11) **‘Existing school’** means any school, Government or recognised, aided or unaided, established and recognised under this Act and continuing as such.
- (12) **‘General education’** means and includes any course of instruction in Pre-school, Primary, Secondary, Higher Secondary, Vocational Higher

Secondary and pre-service training for teachers, or any other innovative system of school education.

- (13) **'Government school'** means a school established or acquired by or surrendered to Government and run by Government.
- (14) **'Headmaster'** means the head of a school who performs academic and administrative functions assigned to him under this Act and rules.
- (15) **'Local Self Government Institution (LSGI)'** means a panchayat at any level, constituted under the Kerala Panchayat Raj Act, 1994 or a municipality constituted under the Kerala Municipality Act, 1994 as the case may be.
- (16) **'Manager'** means a person duly appointed by an educational agency, and approved as such by the department, to manage the affairs of a recognised school, either aided or unaided, in accordance with the provisions of this Act and rules.
- (17) **'Minority school'** means a recognised school of the choice of a minority, whether religious or linguistic, established and administered by such minority having the right to do so under clause (1) of Article 30 of the Constitution of India.
- (18) **'Pre-school'** shall have the same meaning assigned to an institution for Early Childhood Development (ECD).
- (19) **'Principal'** means the head of a Higher Secondary or Vocational Higher Secondary School or Teachers' Training Institute.
- (20) **'Public examination'** means an examination conducted by a board of examination constituted under this Act or any other relevant rules.

- (21) **‘Recognised school’** means a school duly recognised by Government under this Act, as aided or unaided.
- (22) **‘School’** means an institution, which imparts a scheme of education or training as approved by Government in all or any of the stages of general education.
- (23) **‘School property’** means all movable and immovable property belonging to or in possession of a school and all other rights and interests in or arising out of such property, and includes among others, land, standing tree, building and fixtures, playground, furniture, books, apparatus, equipment, aids and appliances, utensils and cash.
- (24) **‘State Council of Educational Research and Training (SCERT)’** means an autonomous body registered by Government to provide academic support and leadership in the areas like curriculum, research, training, educational management and such other aspects of education.
- (25) **‘Teacher’** means a person duly qualified and appointed in a school to transact the curriculum and syllabus in accordance with the scheme of instruction and other lawful guidelines, with the overall objective of personality development of the pupils. The term teacher may signify headmaster, lecturer or principal of a school as the situation demands.

**PART II**  
**ESTABLISHMENT, RECOGNITION AND REGULATION OF**  
**SCHOOLS**

**2. Establishment of schools**

- (1) Government may establish and / or recognise schools as may be required for imparting suitable education in the various stages of general education and may regulate and support them.
- (2) Government shall formulate separate set of rules for the academic and administrative regulation and support in the area of general education.
- (3) Government shall formulate and implement appropriate schemes for (i) the inclusive education of children with disabilities, (ii) the empowerment of girl children through education and for (iii) any other disadvantaged groups that require specialised educational support.
- (4) Government may encourage innovative and non-formal educational schemes / projects in areas which cannot be effectively addressed by the formal system of education.
- (5) Government may, for the purpose of providing educational facilities:-
  - (a) establish and maintain schools; and
  - (b) permit any person or body of persons including Local Self Government Institutions or any other agency engaged in educational activities, to establish and/or maintain recognised schools, either aided or unaided at any stage of education.

- (6) Government may set up separate directorates for the different stages of education and appoint directors for such stages separately or in combination with one or more stages as may be deemed necessary.
- (7) All existing schools as defined in this Act shall be deemed to have been established and recognised in accordance with this Act, and shall adhere to the provisions of the Act and rules.
- (8) Government may entrust any of the existing institutions or organisations with the task of:-
  - (a) formulating various educational programmes / projects;
  - (b) preparing curriculum, syllabus, textbooks and other teaching, learning materials;
  - (c) imparting suitable training to teachers, teacher educators, headmasters, education officers or any other functionary;
  - (d) undertaking research projects;
  - (e) monitoring and evaluating the implementation of programmes and schemes;
  - (f) conducting public examinations; and
  - (g) implementing such other programmes / projects as the Government may deem fit from time to time.
- (9) Government may create, according to necessity, boards, committees, missions, societies or any such organisations for the above purposes or any such initiative.



**3. Government school**

- (1) A school established and / or run by Government shall be known as Government school which shall be administered by a headmaster, subject to the supervision and control of the department. It shall be the duty of the Government to provide sufficient staff and other facilities to such schools.
- (2) It shall also be the duty of the respective Local Self Government Institutions to provide the requisite infrastructure and support for the smooth functioning of Government schools.
- (3) Qualifications, method of appointment and conditions of service of the teaching and non-teaching staff of Government schools shall be as provided in the general rules and subject to the rules as may be prescribed.

**4. Temporary and ad-hoc appointment in a Government school**

- (1) In the absence of valid rank list of candidates with Kerala Public Service Commission (PSC) for appointment to the posts of teaching and non-teaching staff, the deputy director of a district may, after ascertaining such non-availability, make temporary appointments against the vacancies from the list obtained from the employment exchange, in accordance with the relevant provisions as contained in the Kerala State and Subordinate Service Rules, 1958.
- (2) In the event of non-availability of candidates from the PSC or the employment exchange, such vacancies may be temporarily filled up on ad-hoc basis from among the qualified persons locally available, on condition that the service of such persons shall be terminated as soon as

the candidate from employment exchange or the PSC joins duty. Remuneration for such ad-hoc appointment shall be at the rate specified by Government from time to time.

**5. Management of Government schools**

The management of every Government school shall vest in the local authority which has jurisdiction over the area in which the school is situated, as shown below, namely:

- a. Government Pre primary Schools and Primary Schools in rural areas. Gramma panchayats
- b. Government High Schools (including primary sections attached to High Schools) and Higher Secondary Schools, Vocational Higher Secondary Schools and Teachers' Training Institutes in rural areas. District panchayats
- c. Government Pre primary Schools, Primary Schools, High Schools, Higher Secondary Schools and Teachers' Training Institutes in urban areas. Municipalities

**6. Temporary appointment of teachers**

Subject to the rules and conditions laid down by the Government, the local authority may appoint a teacher in a school under its control, against any temporary vacancy, through the employment exchange, from among the persons who possess the qualifications prescribed. The period

of such appointment shall cease by the end of the academic year concerned or when a regular candidate is appointed against such vacancy whichever is earlier.

**7. Educational agency**

- (1) The educational agency shall abide by the conditions of recognition of school and comply with the provisions of the Act and rules.
- (2) The educational agency shall appoint a person as manager who shall be responsible for the proper management of the school and where the educational agency is an individual, he may perform the functions of the manager himself. The agency shall be responsible for all acts of omission and commission of the manager with regard to the management of the school.

**8. Manager of a recognised school**

- (1) Manager of a recognised school, either aided or unaided, shall be responsible for the management of the school in accordance with the provisions of this Act and rules.
- (2) Properties of the school shall be in the possession and control of the manager who shall be responsible for the maintenance of the school in accordance with the provisions of the Act and rules.
- (3) It shall be the duty of the manager to maintain all the records and accounts in such manner as may be prescribed.
- (4) He shall be bound to extend assistance and provide facilities as may be necessary for inspection and academic support to the persons duly authorised under the Act and rules.

- (5) No manager shall close down any school without the prior sanction of the director, for which one year's notice, shall be given on or before the 31<sup>st</sup> May of the preceding year. The director shall pass appropriate orders on the notice after considering all aspects, within three months. The director may, if necessary require the manager to continue the school till such period as may be necessary to make alternative arrangements, which may not exceed two years.
- (6) In the event of a school being closed down or discontinued or its recognition being withdrawn, the manager of the school shall make over all the records relating to the pupils and the members of staff to the headmaster of the nearest Government school, on the written direction from the education officer. The manager shall hand over to the education officer all other records, accounts and aids and appliances, secured through Government assistance.
- (7) If the manager contravenes the provisions of sub-section (5) above, he shall be liable to pay a fine not exceeding twenty thousand rupees.

**9. Maintenance grant to aided schools**

Government may pay an annual maintenance grant at such rate and in such manner as may be decided by Government from time to time to recognised aided schools. The grant shall lapse if not claimed within one year from the last date of the financial year.

**10. Restriction on alienation of property of recognised schools**

- (1) Notwithstanding anything contrary contained in any law for the time being in force, no sale, mortgage, lease, pledge or any other alienation in respect of school property shall be effected or encumbered except with

the prior permission of the education officer who shall follow the prescribed procedure in deciding on such requests.

- (2) The manager of every aided school shall on the first day of April furnish to the education officer an annual statement containing the list of all immovable properties of the school. Details of property acquired or alienated during the previous financial year indicating the authority for such alienation shall also be furnished.
- (3) Any transaction made in contravention of sub-section (1) shall be null and void and failure to furnish the statement required under sub-section (2) or filing of incorrect or false statement shall result in withholding of the maintenance grant.

**11. Restriction on alienation of property of Government schools**

Notwithstanding anything to the contrary contained in any law for the time being in force, no deed of sale, mortgage, lease, pledge, charge or transfer of possession in respect of any land appertaining to a Government school, the management of which is transferred to the local authority shall be created and such property shall not be used for any purpose other than educational.

Provided that nothing in this section shall affect the surrender of the land for road widening with the permission of the Government.

**12. Taking over the management of a school**

- (1) When the Government are satisfied for good and sufficient reasons that the manager of any aided school has neglected to perform the duties prescribed by the Act or rules and that it is necessary to take over the

management of the school, Government may by notification in the gazette, take over the management of such school, for a specified period not exceeding three years at a time, after giving an opportunity to the manager / the educational agency of being heard. Government may on application from the manager review the takeover after the expiry of one academic year.

- (2) In cases of emergency, where the Government are satisfied that imminent action is necessary in the interest of the pupils of the school, Government may without any notice under sub-section (1) above take over the management of an aided school for a period not exceeding three years at a time, after the publication of such notification in the gazette.
- (3) The education officer concerned or any other officer duly authorised shall function as the manager in the event of such takeover. He shall make temporary appointments to the vacancies following the method prescribed in section 8 of the Act.
- (4) The educational agency or the manager shall not have any claim for maintenance grant or any other kind of compensation for the period when the management has been taken over under sub-section (1) or (2) above, provided that the Government shall properly maintain the property.
- (5) At the time of takeover, the education officer concerned shall prepare an inventory of the movable and immovable properties of the school and hand over a copy to the educational agency and the head of the school.
- (6) When any aided school has been taken over under sub-section (2) above, the educational agency or the manager of the school may, within three months of the publication of the notification, apply to Government for

the restoration of the school showing the cause therefor, and the Government may, after ensuring that public interest will be protected, restore the school in favour of the educational agency / manager, on such conditions and for such period as may be specified.

(7) Nothing in this section shall apply to minority schools.

**13. Power to acquire a school**

(1) If Government are convinced that it is absolutely necessary in public interest to acquire any recognised aided school, Government may serve a notice on the educational agency and / or manager explaining the grounds for acquisition. On receipt of such notice, the educational agency / manager may file their reply, if any, against such acquisition within a period of fifteen days.

(2) The Government shall take a decision on such reply within one month and if it is decided to proceed with the proposals for acquisition, the district collector concerned shall be directed to take steps for acquisition of the school property invoking the provisions of the Kerala Land Acquisition Act. A school so acquired shall be deemed to be a Government school after such acquisition.

**14. Appointment of teaching and non-teaching staff in aided schools**

Appointment of teaching and non-teaching staff in aided schools shall be made by the manager from among qualified candidates selected in accordance with the procedure prescribed.

**15. Qualifications for teaching and non-teaching staff**

- (1) Qualifications for appointment of the teaching staff in aided and unaided recognised schools shall be as prescribed in the rules.
- (2) Qualifications for appointment of the non-teaching staff of aided and unaided recognised schools shall be the same as those for appointment in Government schools.

**16. Conditions of service of teaching / non-teaching staff of aided schools**

- (1) Conditions of service of teaching and non-teaching staff in Government schools relating to salary, leave pension, provident fund, insurance, age of retirement and other benefits shall, *mutatis mutandis*, apply to aided school employees also.
- (2) Major punishments like dismissal, removal from service, reduction in rank and barring of increment with cumulative effect shall not be imposed against a member of staff of an aided school without the prior approval of the education officer concerned.

**17. Disciplinary powers of Government over the members of staff of aided schools**

- (1) An education officer or any other officer authorised by Government in this behalf, shall have powers to take disciplinary proceedings against any member of staff of an aided school and impose suitable penalty in accordance with the prescribed procedure.
- (2) A member of staff of an aided school may be placed under suspension when any disciplinary proceedings of a grave nature are pending against him, and if the authorised officer is satisfied that the retention of such



staff in active service is detrimental to the interests of impartial inquiry or is against the interest of the institution.

Provided that where the irregularity or misconduct on the part of the employee involves moral turpitude or calls for immediate disciplinary proceedings, the education officer may initiate such proceedings after giving due intimation to the manager.

**18. Salary to an employee in a recognised unaided school**

- (1) Salary to every member of teaching and non-teaching staff as fixed by the Government shall be paid every month by crossed cheque drawn on management's account in a nationalised or scheduled bank.
- (2) The services of any member of the teaching or non-teaching staff shall not be terminated by the management of an unaided recognised school without conducting formal inquiry and without giving an opportunity of being heard.

**PART III**  
**ROLE OF LOCAL SELF GOVERNMENT INSTITUTIONS**

**19. Local Self Government Institutions to have control over schools**

- (1) Every Local Self Government Institution shall have such powers and functions in the development of school education in its area, as may be prescribed and shall be responsible for the implementation of schemes and programmes for enhancing the academic standards and the well-being of pupils as well as improving the school infrastructure.
- (2) Every Local Self Government Institution may constitute a special fund for the implementation of the schemes formulated by the education committee and for the improvement, upkeep, maintenance and such other welfare measures of schools. Such fund shall be known as the Education Development Fund (EDF), having its source in surcharge on tax, cess, service charge levied by Local Self Government Institutions or contributions in cash, kind or service. Such fund shall be utilised for infrastructure development and implementation of schemes and programmes as formulated by the LSGI concerned.

**20. Education Development Committee (EDC)**

The LSGI concerned may constitute an Education Development Committee (EDC) at the school level with the chairman of the standing committee on education or his nominee as the chairman and the headmaster of the school as convenor. The member of the ward where the school is situated, president of the PTA and the representatives of the staff council shall be its members. The EDC shall attend to the welfare

needs and development activities of the school. Implementation of the schemes and programmes in respect of recognised schools shall be carried out in consultation with the manager of the school concerned.

**21. Establishment of District Educational Authority (DEA)**

- (1) For the purpose of associating people with the administration of school education and to preserve and stimulate local interest in educational affairs, each District Planning Committee (DPC) constituted under section 53 of the Kerala Municipality Act, 1994 shall establish a District Educational Authority to perform such functions and discharge such duties as provided herein.
- (2) The District Educational Authority shall consist of the following members:-
  - a. The president of the district panchayat shall be its chairman;
  - b. Two members elected from among the members of the standing committee on education in the district panchayat, one of whom shall be a woman;
  - c. Two members elected from among the presidents of the village panchayats, one of whom shall be a woman;
  - d. The chairmen of the standing committees for education in the municipalities;
  - e. The deputy director of education, who shall be the ex-officio member and secretary of the committee;
  - f. One member elected from among the headmasters of the Government High Schools in the district;

- g. One member elected from among the headmasters of the aided High Schools in the district;
  - h. One member elected from among the headmasters of the Government Upper Primary and Lower Primary Schools in the district;
  - i. One member elected from among the headmasters of the aided Upper Primary and Lower Primary Schools in the district;
  - j. Three representatives of the school managers to be nominated by the Government; and
  - k. Two members nominated by the Government from among educational experts.
- (3) The term of office of the members other than the functionaries of the local authorities and ex-officio members shall be five years commencing from the date on which the first meeting of the District Educational Authority is held. The term of members elected from among headmasters shall cease on their relinquishing that post.
- (4) The election of the members of the District Educational Authority shall be conducted in such manner as may be prescribed.
- (5) Any person elected or nominated to fill a vacancy shall hold office only so long as the member in whose vacancy he is elected or nominated would have held office if the vacancy had not occurred.
- (6) It shall be lawful for the District Educational Authority to exercise its powers under this Act notwithstanding any vacancy.

**22. Functions of the District Educational Authority**

The District Educational Authority shall:-

- a. assess the educational needs of the district by conducting surveys or otherwise and prepare each year schemes for the development of education and submit the same to the District Planning Committee including the proposals for opening new schools, upgrading of the existing schools and matters incidental thereto within the overall policy and guidelines of Government;
- b. supervise the implementation of the schemes related to health and nutrition of school children.
- c. promote conferences, exhibitions or other measures calculated to create among the public an interest in education; and
- d. carry out such other functions as may be prescribed and those entrusted by the District Planning Committee.

**PART IV**  
**EDUCATIONAL FUNCTIONARIES**

**23. State Advisory Board of Education (SABE)**

For the purpose of advising the Government on matters pertaining to policies on education, Government shall by notification, constitute a State Advisory Board of Education, consisting of not more than twenty five members having experience and expertise in educational research, training and management and officials as ex-officio members. The Minister for education shall be the chairman of the Board. There shall be a full-time vice-chairman to be nominated by Government from among academicians and scholars. Constitution, duties, functions and transaction of business of the board shall be as may be prescribed.

**24. Other ad-hoc committees or panels**

Notwithstanding the constitution of SABE, Government may constitute ad-hoc committees or panels from time to time with specific objectives and for a specified period with clear terms of reference or mandate.

**25. School staff councils**

Every school shall have a staff council, which shall be convened by the headmaster at least once a month. This council shall have such functions as may be prescribed.

**26. School cluster**

School clusters shall be constituted at sub-district level in the manner prescribed for ensuring qualitative improvement in teaching practices and academic standards through interaction among teachers

**27. Parent Teacher Association (PTA)**

Every school shall have a Parent Teacher Association, which may supplement the various efforts for the academic and development activities of the school and for maintaining a congenial and harmonious atmosphere. The constitution, composition and transaction of business of the PTA shall be in accordance with the guidelines issued by the department.

**28. Headmaster**

- (1) The headmaster of a school shall provide leadership in academic, administrative and other enrichment activities in the school. He shall be responsible for the implementation of the scheme of instruction, co-ordination of various activities and maintenance of general discipline.
- (2) He shall also ensure the co-operation of staff and extend support to other functionaries and agencies associated with the development and welfare programmes of the school.
- (3) He shall have such other specific functions and duties as may be prescribed.

**29. Boards of Public Examinations (BPE)**

- (1) There shall be separate boards for Secondary, Higher Secondary and Vocational Higher Secondary examinations. The Government shall

appoint a chairman for each board who shall be an acclaimed academician. Director of the respective departments shall be the vice-chairman.

- (2) There shall be a controller of examinations for each board and he shall be the ex-officio secretary to the board.
- (3) The constitution, term, duties and functions of the board shall be as may be prescribed.
- (4) Conduct of public examinations shall be in accordance with the provisions in the 'manual of public examinations'.

**30. District Institute of Education and Training (DIET)**

The District Institute of Education and Training shall impart or cause to impart training to teachers of schools including headmasters as well as teacher trainees and resource persons to provide academic and resource support. They shall design and implement strategies and research programmes for improvement of all stages of school education upto Higher Secondary level including teachers' training and adult education. The DIETs shall also lend support to the educational initiatives of the LSGIs.

**31. State Council of Educational Research and Training (SCERT)**

- (1) The SCERT, an autonomous body, shall be entrusted with the tasks of preparation of curriculum, syllabus and scheme of examination for all stages of school education and necessary support material, conduct of training of teachers, teacher educators and resource persons, conduct of research in the different areas of school education and the setting up of



committees / organisations for the furtherance of the cause of quality education in the state.

- (2) The council shall give resource support for proper functioning of the District Institutes of Education and Training and co-ordinate the pre-service and in-service training of teachers.

**32. Institutions for furtherance of education**

- (1) The Government shall endeavour to constitute or establish projects, missions, organisations, societies or institutions in the interest of school education in the state including updating of curriculum, timely supply of teaching aids, providing pre-service and in-service training to teachers, ensuring welfare of the teaching and non-teaching staff, formulating and implementing innovative schemes for quality education including development of educational technology, educational management, educational finances, continuing education, distance learning, open schooling, gender equality, human rights, and such other areas.
- (2) Such organisations, societies or institutions shall perform functions and discharge duties in accordance with the general instructions and guidelines issued by Government.

**PART V**  
**TRANSACTION OF CURRICULUM**

**33. Admission**

- (1) No child shall be denied admission on the ground of religion, caste or creed, if the child is otherwise eligible.
- (2) Eligibility for admission as to the age and other requirements shall be as may be prescribed.

**34. Attendance**

Attendance, promotion, transfer and removal of pupils shall be governed by the rules made under this Act.

**35. Curriculum and syllabus**

Government shall endeavour to provide relevant and resilient curriculum and syllabus for all stages of education. Preparation of curriculum and syllabus shall be the primary responsibility of SCERT. They shall also formulate suitable methodology of curriculum transaction.

**36. Discipline**

- (1) It shall be the duty of the headmaster and the teachers to foster, enforce and maintain discipline in the school. Corporal punishment of any kind shall not be practised in any school.
- (2) General code of conduct for the pupils and the procedure for enforcement of discipline shall be as may be prescribed.
- (3) Teachers shall abide by the conduct rules as may be provided.

**37. Staff strength**

Strength of class / division and staff in every school shall be as prescribed.

**38. Inspection**

- (1) Inspection of a school is essentially a process of seeing a school at work and assessing its general level of functioning with a view to improving its performance.
- (2) Inspection, monitoring and evaluation of academic and administrative functions in a school shall be the duty of an inspecting officer or any other individual, agency or group duly authorised by Government who shall perform such functions in the manner prescribed.

**39. Admission fee and special fee**

- (1) An admission fee at the rate prescribed shall be levied from every pupil in secondary and other higher stages of school education at the initial stage of admission. Such fee shall be credited to Government account.
- (2) A special fee at the rate and in the manner prescribed shall be collected from every pupil except from those in Lower Primary classes.
- (3) No admission fee or special fee shall be collected from a pupil belonging to scheduled caste or scheduled tribe or any other categories notified by Government, from time to time.

**40. Levy of fees in recognised unaided school**

- (1) Tuition fee and special fee to be realised from pupils in unaided recognised schools shall not exceed the rate, which shall be as fixed by the Government from time to time.

- (2) Special fee shall be collected and utilised in the manner prescribed. The special fee account shall be subject to audit.

**41. Special fee fund**

A special fee fund shall be constituted in every school. The fund so constituted shall be utilised for the purpose and in the manner prescribed.

**PART VI**  
**GENERAL PROVISIONS**

**42. Free and compulsory education**

- (1) The state shall impart free and compulsory education to all children till they attain the age of fourteen.
- (2) No tuition fee shall be payable by any pupil at any stage upto the secondary stage in any Government or recognised aided school.

**43. Nutritional support programme**

- (1) It shall be the duty of the Government as well as the LSGIs to ensure that nutritional support, health care, clothing, books and writing materials are made available to eligible pupils, free of cost, to enable them to continue studies.
- (2) Government may entrust the implementation of schemes to the Local Self Government Institutions, who may enrich and enhance the scheme by extending necessary resource support.

**44. Health care programme**

Government shall formulate and implement schemes for the comprehensive health care of every pupil in schools including insurance scheme, immunisation, issuance of health card and preventive and curative medical care.

**45. Laboratory and library facilities**

Every school shall have sufficient and proper laboratory and library facilities. It shall be the duty of the headmaster to ensure that the above facilities are properly utilised.

**46. Co-curricular activities**

The headmaster and the teachers shall ensure that co-curricular activities are encouraged so as to enrich information and knowledge on curricular subjects and to provide ample opportunities and facilities for the development of personality, skills, creativity and special interests of the pupils.

**47. Other enrichment programmes**

The staff council of the school shall organise and activate school clubs and various groups to foster deeper understanding on science and humanities, areas like social service, environment protection, road safety, hygienic practices, civic sense, peace, non-violence, human rights, secularism, gender equality and such other areas.

**48. Power to make rules**

- (1) The Government may by notification in the gazette make rules either prospectively or retrospectively for the purpose of implementing the provisions of this Act:

Provided that the power to grant retrospective effect shall be exercised sparingly with utmost caution and care, so that the exercise of this power shall not unsettle any settled issues and the reason warranting such

retrospective effect shall be spelt out in the explanatory note of the respective notification.

- (2) Government shall have powers to notify in the interest of public policy, that every school functioning in the state whether recognised or not, shall follow the curriculum and syllabus prescribed by the Government for such stages that are not covered by a syllabus approved by the CBSE, ISCE or any such board.
- (3) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for:-
  - (a) the establishment, recognition and maintenance of schools and giving grant-in-aid to schools including centres for early childhood development;
  - (b) the regulation of the rates of fees in recognised unaided schools, other than minority schools;
  - (c) the levy and collection of fees at all stages of education above the secondary stage;
  - (d) without prejudice to the rights of the minorities, regulate admissions to schools run by Government and the schools receiving aid from the state or central Government, by making special provisions for the advancement of socially and educationally backward classes of citizens and the scheduled castes and scheduled tribes;

- (e) the manner in which accounts registers and records shall be maintained in schools, and the authority responsible for such maintenance;
- (f) the mode of maintaining and auditing of accounts of schools;
- (g) submission of returns, statements, reports and accounts by the educational agency and / or the manager of schools, both aided and unaided;
- (h) inspection of schools and the officers / agencies by whom inspection shall be made;
- (i) standards of education and courses of study;
- (j) working of education committees;
- (k) all matters expressly required or allowed by this Act to be prescribed;
- (l) qualifications, method of appointment and conditions of service of the employees of Higher Secondary / Vocational Higher Secondary stages of education and the administration of the department concerned; and
- (m) the conduct of youth festivals, science fairs and such other curricular and co-curricular events.

**49. Direct recruitment of education officers**

If it is considered necessary in the interest of the efficiency of administration, Government may directly recruit education officers not below the rank of District Education Officer.



**50. Rules to be laid down before the Legislative Assembly**

All rules made under this Act shall be laid for not less than fourteen days before the Legislative Assembly as soon as possible after they are made and shall be subject to such modifications as the Legislative Assembly may make during the session in which they are so laid.

**Kerala Education Rules**  
with proposed revisions

## Chapter I

### PRELIMINARY

#### 1. Short title and commencement

- (1) These rules may be called the Kerala Education Rules, ..... (*specify the year of notification*).
- (2) They shall come into force at once.

Provided that the Government may, for good and sufficient reasons, appoint such dates as deemed fit to give effect to any particular provision(s) of these rules, which may be duly notified.

#### 2. Definitions

- (1) In these rules, unless the context otherwise requires:-
  - (a) *the Act* means the Kerala Education Act, 1958;
  - (b) *Academic year* means the period between the day of reopening of a school after midsummer vacation and the last working day prior to the succeeding midsummer vacation;
  - (c) *School year* means the period between the day of reopening of a school after midsummer vacation and the last day of the succeeding midsummer vacation;

- (d) *District* means the area of a revenue district;
  - (e) *Education district* means the area of jurisdiction of a District Education Officer;
  - (f) *Sub-district* means an 'education sub-district' corresponding to the area of jurisdiction of an Assistant Education Officer;
  - (g) *Deputy Director (DD)* means an officer having administrative and academic powers for supervision, support and inspection over the schools and the Education Officers in a revenue district;
  - (h) *District Education Officer (DEO)* means an officer having administrative and academic powers for supervision, support and inspection over the schools in an education district; and
  - (i) *Assistant Education Officer (AEO)* means an officer having administrative and academic powers for supervision, support and inspection over the schools up to the Upper Primary stage of education in an education sub-district.
- (2) Words and expressions used, but not defined in these rules, shall have the same meaning assigned to them in the Act.

3. **Power of Government to relax rules**

Where the Government are satisfied that the operation of any provision under these rules causes undue hardship in any particular case, the Government may, in such exceptional cases, dispense with the application of such provision or relax its requirements to such extent and subject to such conditions as they may consider necessary in the interest of justice.

The reason for such relaxation of rules shall be specified in writing as part of the order.

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## **Chapter II**

### **CLASSIFICATION OF SCHOOLS, CENTRES AND INSTITUTIONS**

#### **1. General classification**

Schools, centres and institutions for general education are classified as:-

Centres for Early Childhood Development (ECD centres) or Early Childhood Care and Education (ECCE) centres;

Primary Schools;

Secondary Schools;

Special Schools;

Teachers' Training Institutes (TTIs);

Pre Primary Teachers' Training Institutes (PPTTIs);

Language Teachers' Training Institutes (LTTIs);

Training Institutes for Special Educators;

Institutions for Innovative Responses; and

In-service Training Centres.

#### **2. Centres for Early Childhood Development (ECD centres)**

Centres for Early Childhood Development shall include balkendras, balwadies, anganwadies, kindergartens and such other centres for Early

Childhood Care and Education (ECCE), which may or may not be attached to primary schools.

3. **Primary Schools**

Schools having any or all the standards from I to VIII of school education shall be known as Primary Schools, which are further sub-divided into two sections:-

- (a) Lower Primary section containing any or all the standards from I to V and
- (b) Upper Primary section containing any or all the standards from VI to VIII.

4. **Secondary Schools**

Schools having any or all the standards from IX to XII of school education shall be known as Secondary Schools and they shall further be sub-divided into:

- (a) High Schools comprising any or the standards of IX and X; and
- (b) Higher Secondary / Vocational Higher Secondary Schools with standard XI or standards XI and XII.

5. **Special Schools**

Special schools are institutions, which transact appropriate curriculum and syllabus exclusively for children with disabilities or mental retardation or children affected with problems requiring sustained attention. Such schools shall have special facilities for catering to the educational and development needs of children with disabilities and may

have primary and secondary stages including Higher Secondary / Vocational Higher Secondary.

6. **Teachers' Training Institutes (TTIs)**

Teachers' Training Institutes are those institutions imparting pre-service training leading to a certificate / diploma which qualifies a person for appointment as a teacher in a Primary School.

7. **Pre Primary Teachers' Training Institutes (PPTTIs)**

Pre Primary Teachers' Training Institutes are those institutions providing instruction and training leading to a certificate / diploma, which qualifies a person for appointment as a teacher in the Early Childhood Development or Early Childhood Care and Education centres;

8. **Language Teachers' Training Institutes (LTTIs)**

Language Teachers' Training Institutes are those institutions imparting instruction and training leading to a certificate / diploma, which qualifies a person for appointment as a language teacher both in Upper Primary and secondary schools in languages such as Malayalam, Kannada, Tamil, Hindi, Arabic, Sanskrit and Urdu.

9. **Training institutions for special educators**

Training institutions for special educators are those institutions which impart specialised training to address the cognitive and rehabilitative needs of children with disabilities, leading to a degree / diploma / certificate, which qualifies a person for appointment as teacher in a special school, or in a regular school for the purpose of inclusive education.



10. **Institutions for innovative responses**

Institutions for innovative responses are those institutions that are established to address special educational needs of identified categories of children warranting special attention or of children in inaccessible and manifestly backward areas. Such institutions will have the freedom and flexibility in matters relating to curriculum, infrastructure and other regulations applicable to regular or special schools, provided that the Government are satisfied that the particular need cannot be met by a regular school.

11. **In-service training centres**

These institutions include the State Council of Educational Research and Training (SCERT) and the District Institutes of Education and Training (DIETs) and such other institutions that may be set up to impart in-service training and upgrade the teaching skills and knowledge of teachers.

## Chapter III

### SITE, BUILDINGS AND PREMISES OF SCHOOLS

1. **Selection of sites**

In the selection of a school site, it shall be ensured that;-

- (a) it is safe, calm, well drained, clean and in healthy surroundings;
- (b) it is not in the vicinity of tanks, canals, markets, factories, workshops or any hazardous installations;
- (c) it opens to an approach road rather than to a high way or a main road; and
- (d) it is, as far as possible, in a single block or in contiguous plots.

2. **Site area**

(1) Every school shall have a minimum site area as specified hereunder:

Pre primary School	5 ares
Lower Primary School	25 ares
Lower Primary School with Pre primary section	30 ares
Upper Primary School with or without Lower Primary section	50 ares

High School	1 hectare 25 ares
Higher Secondary School (High School with Higher Secondary / Vocational Higher Secondary stage)	1 hectare 50 ares
Teachers' Training Institutes with Primary / Pre primary section	1 hectare

(2) However this shall not apply to existing schools which conform to the present provisions.

(3) The normal strength of pupils reckoned for the minimum site area is as follows:

Lower Primary School	500
Upper Primary School with Lower Primary section	750
High School with Primary, Higher Secondary sections	1000

When there is an increase in strength by over 25%, additional site area shall be provided. However this shall not apply to the existing schools which conform to the present provisions.

Provided further that the Government may relax the minimum requirement of site area for a specified period or permanently for a particular school for sufficient reasons to be recorded and subject to such conditions as may be specified.

### 3. **Name board**

Every school shall have a standardised name board put up in front of the school, specifying the classification of the school, the education district,

the locality and the status, whether aided, unaided or Government. It shall be of the size of not less than 120cm X 90cm with the background painted in ivory colour and letters in dark brown.

4. **Play ground**

Every school shall have a playground. The playground shall, as far as possible, be adjacent to the school premises with easy access and with separate areas earmarked for major games.

5. **School garden**

Every school shall endeavour to have a garden in front of the school building, which shall be maintained properly. The Parent Teacher Association (PTA) shall render necessary assistance in the upkeep and maintenance of the school garden.

6. **Location of school buildings**

- (1) No new school building shall be situated within a distance of 50 metres from a public burial place or public cremation ground. Cremation grounds, cemeteries and concrete vaults shall not be visible from the school. In the case of vaults, the distance shall not be less than 25 metres from the school building. Necessary walls of sufficient height shall be erected to block the view of the cremation/burial ground.
- (2) A school site shall not be located in the proximity of a liquor shop. The norms regarding distance shall be governed by the rules issued by the Government from time to time in this regard.
- (3) These rules shall not apply to the schools, which were in existence at the time of the commencement of the Kerala Education Act, 1958. But no

burial / cremation ground or liquor shop shall be newly sanctioned near an existing school in violation of these rules.

#### 7. **Accommodation**

Every school building shall conform to the minimum specifications prescribed below.

Pre primary Schools	Three rooms each having a floor area of 45 square metres with dormitory, toilets and lunchroom.
Lower Primary Schools	Required number of classrooms of 40 square metres floor area, (provided that the width is not less than 5 metres) for each class, with office room, headmaster's room, teachers' room, lunch room and a room to keep teaching / learning materials.  Sufficient number of toilets of suitable size with amenities
Upper Primary Schools	Accommodation as specified for Lower Primary Schools, with separate rooms for library, laboratory and educational technology.
High Schools	Accommodation as specified for Upper Primary Schools with separate rooms for audio-visual facilities, library, laboratories, work experience, educational technology, co-operative society and storage of sports and games materials.
Higher Secondary / Vocational Higher	Classroom accommodation for Higher Secondary / Vocational Higher Secondary stage

Secondary Schools shall be 60 square metres floor area for every class in Higher Secondary / Vocational Higher Secondary class. (The minimum width shall not be less than 5 metres)

There shall be sufficient number of rooms for laboratories with necessary equipment and accessories for each stage of education. Besides, Vocational Higher Secondary Schools will have workshops for practical training.

*Note:*

*Teachers' Training Institutes and Pre Primary Teachers' Training Institutes (PPTTIs) shall have such facilities as may be stipulated by the NCTE, even if such facilities and conditions are not envisaged under these rules.*

**8. Restriction on alterations to school buildings**

- (1) No school building shall be altered materially except in accordance with the specifications in these rules and with the approval of the education officer. As far as possible, alterations, additions or new constructions shall be made only during vacation. Alteration of any existing building or construction of a new building during the course of an academic year shall be permitted only on recorded reasons and on the basis of an undertaking by the headmaster to the effect that such alteration or construction shall not affect the normal functioning of the school and the safety of the pupils.
- (2) A building shall be designed in such a manner as to make it possible to have future extension, without frequent alteration to the original building.

- (3) In the event of considerable increase in pupil strength making it necessary to provide additional accommodation, the education officer may permit the construction of temporary buildings to meet the need. Such permission shall be for a period of one year at a time and limited to 3 years.
- (4) Thatched buildings shall be replaced with permanent buildings within three years. Existing buildings or rooms not conforming to the specifications but reckoned for sanctioning class divisions before the commencement of these revised rules, shall be replaced in accordance with the specifications within the time limit as may be insisted upon by the Government.

9. **Design of school buildings and classrooms**

- (1) Design of school buildings shall provide for the space requirements and safety standards as stipulated in these rules. However, architectural design and layout of the buildings may be flexible so as to create a congenial atmosphere that enables the pupils to have suitable learning experience and a pleasant school life.
- (2) Pre primary and primary classrooms shall be child-friendly in design and shall facilitate free movement of children. It shall have a minimum of 1.25 square metre of floor space per pupil.
- (3) Classrooms for Secondary Schools and Teachers' Training Institutes shall be designed in such a way as to provide a minimum floor area of one square metre per pupil.

- (4) Classrooms shall be separated by walls or partitions of at least 2.4 metres in height. It should be ensured that there is proper light and suitable ventilation in the classrooms.
- (5) School buildings with tiled roof shall have a ceiling. It should be ensured that no hazardous materials are used for roofing, ceiling and partition.
- (6) Special provisions shall be incorporated in the architectural design of school buildings and toilets to facilitate free and safe movement of children with disabilities.

10. **Repairs and annual maintenance**

- (1) School buildings and playgrounds shall be kept clean and maintained in good condition. Scribbling on the walls, doors, windows, furniture or any other acts of defacing shall be prevented.
- (2) Annual maintenance of school buildings shall be done satisfactorily during the midsummer vacation itself. The education officers and the Local Self Government Institutions shall be competent to issue any direction for ensuring the safety of the school buildings. The educational agencies / managers shall be responsible for the safety of the buildings.
- (3) The education officer shall, during his visits, verify and record the suitability and safety of the buildings. If he finds that the buildings are not safe or fit to conduct classes, he shall address the concerned agency to ensure the safety of the buildings.

11. **Toilets**

- (1) Every school shall have sufficient number of clean toilets with amenities.



- (2) There should be separate toilets for the pupils and staff. Separate toilets should be provided for girls and boys. Uninterrupted water supply and suitable accessories shall be provided in the toilets.
- (3) There shall be suitably modified separate toilets for disabled children.

12. **Supply of drinking water**

Every school shall have regular supply of safe drinking water for pupils and staff.

13. **Furniture**

Every school shall be provided with durable articles of furniture of suitable dimensions. The minimum requirement of furniture shall be as below:-

Pre primary Schools	Benches with back rest, desks, children's chairs, tables and chairs for teachers in classrooms, storage cabinets, book racks, bulletin boards, notice boards, toy racks, map racks, clock and bell.
Lower Primary Schools	Benches with back rests, desks in sufficient numbers, good quality writing boards, tables and chairs for teachers in classrooms, headmaster's room, staff room, sufficient number of racks for storage of teaching materials, clocks and bells.
Upper Primary Schools	

High Schools, Teachers' Training Institutes      Articles of furniture as specified in the case of Upper Primary Schools and necessary laboratory equipment, work tables and shelves for practical work according to the requirements.

Higher Secondary / Vocational Higher Secondary Schools      Articles as specified in the case of a High School. Besides, there shall be sufficient facilities for library, laboratories and workshops as required.

14.      **Furniture to be of standard design**

The educational agency shall ensure that the furniture are of quality material with high durability. The furniture shall be of standard design suitable and convenient to the different age groups of pupils.

15.      **Appliances**

- (1) Every school shall have teaching-learning materials and appliances as may be specified by the department from time to time and which shall, among other things, include;-
- (a) instruments for mathematical drawing;
  - (b) globes, maps, charts and such other items for teaching history, geography and science subjects;
  - (c) laboratory apparatus, materials and equipment for the teaching of various science subjects;

- (d) necessary appliances for the teaching of special subjects and for work experience; and
  - (e) audiovisual equipment, computers and such other modern devices as may be necessary.
- (2) Every primary, secondary and training school shall have a suitably equipped library with books and journals for general reading, reference and curricular purposes.
  - (3) The department may issue from time to time, suggestions regarding the list of books, journals and other teaching-learning materials to be procured by schools.
  - (4) Every school shall have sufficient number of suitable equipment for games and sports.
  - (5) There shall be suitable facilities for providing first-aid.
16. **Use of buildings and premises**
- (1) School buildings and premises shall not be utilised for purposes other than education. The education officers and headmasters are however competent to grant temporary permission to use the school building or premises for other legitimate purposes for short periods without affecting the normal functioning of the institution with regard to Government schools and the manager in respect of recognised schools.
  - (2) School buildings, furniture and premises shall be made available free of rent for the purposes of holding public examinations, elections held by the Election Commission and purposes connected with the functions of the education department.

17. **Conditions for using Government school buildings for other purposes**

- (1) Government school buildings and properties may be given to general public or other organisations for conducting meetings and other functions on the condition that the use of the school building and premises shall not be detrimental to public interest and that the user shall remit the rent fixed by the department. The users shall undertake to compensate any loss or damage that might be caused to the building or properties while in their use and remit an amount fixed by the headmaster as caution deposit. The caution deposit shall be refunded after deducting the amount if any, towards the loss or damage. However the headmaster of a school shall have the discretion to decide on such requests.
- (2) When a school building is requisitioned for purposes of election conducted either by the Election Commission of India or any other authority authorised in this behalf, the period of requisition shall be treated as holidays and the school shall remain closed on those days. The requisition for the building should be sent to the headmaster by the returning officer at least three clear weeks prior to the date of election. The headmaster shall report the fact to the education officer / manager concerned immediately.

18. **Imparting of religious instruction**

- (1) Religious instruction in recognised aided or unaided schools may be permitted on the condition that;-
  - (a) there is no compulsion upon the pupils;
  - (b) no state fund is utilised for the purpose;
  - (c) no proselitisation is conducted; and

(d) regular classes are not affected.

(2) No teacher shall be required to impart religious instruction against the pupils' will.

19. **Opening of co-operative societies in schools**

Co-operative societies may be established in all schools. Textbooks, stationery, and other materials required by pupils shall be made available to them at fair price. If a school does not have a co-operative society of its own, such school may associate itself with the co-operative society of the nearby school.

## **Chapter IV**

### **ESTABLISHMENT, UPGRADATION AND RECOGNITION OF SCHOOLS**

1. **Procedure for establishment / upgradation of schools**

If the Government are satisfied, on consideration of the representations received or otherwise, on the need for a school in a locality, they may decide before the 15<sup>th</sup> of May, to open a new school or upgrade an existing school in any specific locality or area in the state during the succeeding year. On receiving such decision, the director may initiate the procedure as laid down in these rules.

2. **Procedure leading to area notification**

- (1) On receipt of the direction from Government, the director shall, through a gazette notification, invite suggestions and objections, if any, with regard to the establishment of new schools or upgradation of existing schools. The deputy director shall, on receipt of the proposal, make further enquiries himself or through the education officer concerned and shall satisfy himself as to the scope of establishing a new school or upgrading an existing school for the particular stage of education. He shall take into account the alternative facilities available in the locality and the estimated number of pupils who may seek admission. The deputy director concerned shall, after conducting such inspection and enquiries

as may be necessary, forward a report to the director with specific recommendations and the following details;-

- (a) location of the proposed new school specifying the name of the Local Self Government Institution;
  - (b) the number of existing schools within a radius of two kilometres of the proposed location indicating pupil strength in each school and the stage of education available;
  - (c) approximate number of pupils residing in the locality, but availing education from the schools elsewhere;
  - (d) buildings and other facilities available in the existing school proposed to be upgraded including provisions for additional area;
  - (e) availability of land and other facilities for the establishment of a new school in the proposed location; and
  - (f) the social, educational, economic and geographical backwardness of the area.
- (2) Where a Local Self Government Institution proposes the opening or upgradation of a Government school, it shall specify and ensure the availability of suitable extent of land, buildings and other facilities required by these rules.
- (3) Where the Local Self Government Institution proposes the opening or upgradation of a recognised school, either aided or unaided under its management or otherwise, it shall ensure the availability of the stipulated facilities.

- (4) The director shall, after close scrutiny and further enquiries as may be necessary, send the list to Government. While doing so, the director shall consider and evaluate the relative merits with reference to the educational needs of the areas proposed.
  - (5) Government may, after further enquiries, if necessary, approve the list of areas with or without modifications and cause it to be published by the director in the gazette.
  - (6) A timeframe as prescribed in rule 4 of this chapter shall strictly be followed in area notification and granting of permission for establishment of new schools or upgradation of existing schools.
3. **Procedure for sanction of new schools or upgradation of existing schools**
- (1) The director shall, while publishing the final list of areas as prescribed, invite applications in the prescribed form for the establishment of new schools of any stage of education or for upgrading existing schools in the areas notified from persons or body of persons, including Local Self Government Institutions, who are interested in educational activities. Four copies of the applications shall be submitted to the education officer concerned with necessary enclosures. Where the proposal is for the establishment or upgradation of a Government school, the Local Self Government Institution shall undertake to provide the prescribed facilities.
  - (2) Every application shall be accompanied by:-
    - (a) a chalan receipt towards the application fee duly remitted at the rates specified below or as may be revised from time to time.



<b>Establishment of a new school</b>	<b>Rate</b>	<b>Upgradation of an existing school</b>	<b>Rate</b>
Lower Primary School	Rs. 250	Lower Primary School into Upper Primary School	Rs. 500
Upper Primary School	Rs. 500	Upper Primary School into High School	Rs. 1000
High School	Rs. 1000	High School with or without primary section into Higher Secondary or Vocational Higher Secondary School	To be notified by Government from time to time
Higher Secondary or Vocational Higher Secondary School	To be notified by Government from time to time	Upper Primary School with Lower Primary section into Teachers' Training Institute	Rs. 2500
		Lower Primary School with pre primary section into Pre Primary Teachers' Training Institute	Rs. 2500

- (b) a sketch of the proposed site;
- (c) a sketch showing the position of the proposed school in relation to the neighbouring schools within a radius of two kilometres;
- (d) certified copies of the documentary evidence to show the applicant's ownership or the right of possession of the site and buildings (if any) of the proposed school;
- (e) a plan of the proposed building with a declaration to the effect that necessary buildings as per the approved plan shall be provided with equipment within the specified period;

- (f) an agreement duly executed by the applicant of an aided school to the effect that teachers rendered surplus from the aided schools in the area by reduction of posts shall be accommodated in such school, subject to the conditions as laid down by Government from time to time; and
- (g) a declaration by the applicant of an aided school to the effect that he shall neither alienate the property proposed for the school nor utilise the adjoining area for any activity detrimental to the smooth functioning of the school.
- (3) The applicant for an unaided school shall undertake to remit a registration fee at the rates specified below or as may be revised by Government from time to time in the event of recognition;-

Establishment of new school		Upgrading of existing school	
Lower Primary School	Rs.5000	Lower Primary School into Upper Primary School	Rs.7500
Upper Primary School	Rs.7500	Upper Primary School into High School	Rs.10000
Higher Secondary School	Rs.10000		

- (4) The education officer shall, after making due enquiries into the antecedents and genuine interest of the applicant in educational activities, site inspection and verification of other connected records, forward the application in triplicate to the deputy director with his recommendations or remarks. The deputy director shall consolidate the list of all such

applications, record his specific recommendations or remarks with justification and send it with two copies each to the director.

- (5) The director, after considering all aspects including the financial stability and educational background of the applicant, record his recommendations and/or remarks and forward one copy each of the applications to Government along with a copy of the consolidated list of applications for each area.
- (6) Government shall, after considering the applications in the light of the report of the director and taking into account other relevant matters, select the educational agencies either corporate or individual, for the specified areas and shall communicate the decision to the director for notification in the gazette.

4. **Time frame to be followed**

The various steps leading to the final notification of the educational agency shall be in accordance with the time schedule prescribed below:-

- |  |   |
|--|---|
| (a) Publication of notification by the director inviting suggestions and objections for the establishment of new schools or upgradation of existing schools. | Not later than 31 <sup>st</sup> of May of the preceding year. |
| (b) Receipt of proposals by the deputy director  | Not later than 30 <sup>th</sup> of June                       |
| (c) Receipt of proposals by the director   | Not later than 31 <sup>st</sup> of July                       |

- |   |  |
|---|--|
| (d) Submission of the report to Government  | Not later than 30 <sup>th</sup> of August        |
| (e) Approval of the final list of areas by Government   | Not later than the 30 <sup>th</sup> of September |
| (f) Publication of the final list of areas, inviting application from educational agencies.               | Not later than the 31 <sup>st</sup> of October.  |
| (g) Receipt of the applications by the education officers   | Not later than the 30 <sup>th</sup> of November. |
| (h) Receipt of applications by the director, with recommendations from the deputy director.               | Not later than 31 <sup>st</sup> of December.     |
| (i) Receipt of report and recommendations to Government   | Not later than 31 <sup>st</sup> of January.      |
| (k) Publication of notification by the director sanctioning new schools and/or upgrading existing schools | Not later than 31 <sup>st</sup> of March         |

5. **Permission to open or upgrade schools**

- (1) Every educational agency, whether individual or corporate, in whose favour the school is permitted to be established or upgraded shall seek formal permission from the education officer before the 30<sup>th</sup> of April, indicating their readiness and furnish the following documents;-
- (a) a site plan showing the extent of land and the location of the school;

- (b) a duly approved ground plan of the buildings drawn to scale showing the accommodation for classrooms and other purposes;
- (c) details of drinking water, sanitary and toilet facilities;
- (d) the stage of education to which permission is sought;
- (e) the standard to be opened;
- (f) the date from which the school proposes to start functioning;
- (g) the original document proving the right over the land along with certified copies of the relevant documents;
- (h) an undertaking to fulfil all the conditions for recognition within three months; and
- (i) an affidavit showing that the applicant is solvent.

Immediately on receipt of the request for the opening of a new school or upgradation of an existing school from the educational agency so notified, the education officer shall ascertain the veracity of the documents furnished, inspect the site and ascertain its suitability and accessibility and issue permission to start the lowest standard of the sanctioned stage after assessing their readiness.

- (2) The education officer may withhold permission:-
- (a) if the applicant does not possess ownership or right to be in exclusive possession of the site for a period of not less than twelve years;
  - (b) if the location has been changed from that mentioned in the application; and

- (c) if any material fact furnished in the application is proven to be false or has subsequently been altered.
  - (3) Such permission or the reason for denying the permission shall be communicated to the educational agency before the first week of May.
  - (4) If permitted, the educational agency shall commence admission of pupils before the end of May, failing which, the sanction for opening or upgradation shall stand cancelled, provided that the education officer may condone the delay by two weeks.
6. **The functioning of classes to be reported to the education officer**
- (1) When a school is duly opened or upgraded, the fact of starting of such classes shall be reported by the educational agency to the education officer concerned.
  - (2) For good and sufficient reasons to be recorded in writing, the director may exempt a school from any of the conditions for permanent recognition for a maximum period of two years, during which period the school shall be eligible for temporary recognition.
  - (3) Every school duly opened or upgraded but has not fulfilled the conditions for permanent recognition as contemplated in these rules shall be deemed to be provisionally recognised for a period of one year within which time it shall seek permanent recognition after fulfilling the conditions.
7. **Application for permanent recognition of a school**
- (1) Application for permanent recognition of a school or for an additional standard shall be made by the manager to the education officer in the prescribed form within a year from the date of establishment of the

school or additional standard or when the school gets equipped with facilities for permanent recognition, whichever is earlier.

- (2) When an application for permanent recognition is made and the education officer is satisfied that all the conditions are fulfilled and facilities are fully provided as stipulated in the rules, the education officer shall grant permanent recognition to such schools within three weeks from the date of application, if all the relevant conditions laid down in these rules are satisfied.
- (3) If the application for permanent recognition is defective, the education officer shall return it for resubmission within two weeks pointing out the defects. If the conditions are still not satisfied, the education officer shall decline the request and intimate the fact to the applicant within three weeks.

8. **Eligibility for grant of recognition**

A school shall be eligible for permanent recognition, if:-

- (a) it follows the approved courses of instruction and syllabus;
- (b) the employees are appointed in accordance with the provisions of the Act and rules;
- (c) the educational agency undertakes to have the school accounts audited; and
- (d) the land, buildings, furniture and equipment are suitably provided, as stipulated in the rules.

### 9. **Facilities to be provided in schools**

Every school whether aided or unaided shall provide the following facilities:-

- (a) **Library:** Every school shall have a school library stocking books, educational journals and audio visual materials that cater to the appropriate tastes, levels of knowledge and educational needs at each stage of education and which have to be annually updated and replenished.
- (i) There shall be a separate room for library, to be used exclusively for the purpose;
- (ii) There shall be a reading room attached or adjacent to the library to where pupils should have free access;
- (iii) The library shall have books, journals, compact discs, audio-video materials and other relevant materials, suitable for the use of teachers in their professional work and for reference; and
- (iv) There shall be a minimum number of suitable books and journals as specified below:-

Lower Primary School	500 books
Upper Primary School	1000 books
High School	3000 books
Higher Secondary Schools	5000 books



(b) **Laboratory:**

(i) In the case of schools up to the Upper Primary and Secondary levels, laboratories shall be equipped according to specifications as may be laid down from time to time, by the director;

(ii) In the case of Higher Secondary or Vocational Higher Secondary Schools, with science subjects or courses in subjects which involve practical work, there shall be sufficient accommodation, equipment and apparatus according to specifications as may be laid down, from time to time, by the director;

(c) **Workshop:** In the case of Vocational Higher Secondary Schools there shall be suitable number of workshops for practical training based on the trades offered

10. **Lapse of recognition**

Permission to open a school shall be deemed to have lapsed, if the school is not opened on the stipulated date, unless an extension of time is duly granted.

11. **Orders granting recognition**

(1) The order granting recognition to a school shall be in the form prescribed, the photocopy of which shall be framed or laminated and displayed permanently in the headmaster's room.

(2) Recognition shall be granted to a school, newly started or upgraded, for the lowest standard of education for the year of starting or upgradation as

the case may be, with permission to start the subsequent standards in the succeeding years.

- (3) The schools established on proper authority, but continuing without recognition, shall obtain permanent recognition within a period of three years from the commencement of the revised rules, failing which the permission shall be withdrawn by a notification.

12. **Withdrawal of recognition**

- (1) Recognition granted to a school or standard may be withdrawn by the education officer on the following grounds:-
  - (a) if any of the facilities and conditions at the time of recognition is abrogated or violated;
  - (b) if the educational agency commits any wilful breach of the provisions of the Act and rules or wilfully neglects the lawful directions issued by the Government or department in conformity with the provisions of the Act and the rules;
  - (c) if it is under the management of a person who has been duly declared as unfit to hold such office of a recognised school;
  - (d) if a person who is convicted of an offence involving moral turpitude continues to be a member or an office bearer of the managing body of a school; or
  - (e) if any amount is collected other than those duly permitted, in connection with the admission of a pupil to any standard before or after such admission or promotion, from any parent or other relative or guardian of the pupil.

- (2) The education officer shall give at least three months' notice prior to the last day of the academic year, specifying the intention to withdraw recognition.
- (3) No order withdrawing the recognition shall be passed without giving an opportunity to the manager of being heard.
- (4) If aggrieved, the manager may prefer an appeal before the deputy director within 30 days who shall dispose of such appeal within 45 days.
- (5) Withdrawal of recognition under this rule shall be effective from the end of the school year and the education officer shall make necessary alternative arrangements to meet the educational needs of the pupils of the school.

13. **Withdrawal of recognition for want of minimum strength**

- (1) Recognition granted to a school or standard may be withdrawn if it fails to maintain the minimum pupil strength.
- (2) However, Government shall have powers to allow a school without minimum strength to continue, if such continuance is felt necessary to meet the social and educational needs of the locality.

14. **Review**

Any person aggrieved by an order of the deputy director may within thirty days from the date of the order, file a review petition to the director. The decision of the director on the review petition shall be final.

15. **Delinking of primary section from Secondary Schools**

- (1) The director may with the sanction of Government, delink the primary section from a High School or Higher Secondary School, if the strength of the school exceeds disproportionate to the facilities available and after ensuring that stipulated land, building, accommodation and other facilities for the establishment of two separate schools exist.
- (2) Bifurcation of any school separately for boys and girls shall not ordinarily be permitted. The existing separate schools for boys and girls may however continue as such.

16. **Closure of a recognised school**

- (1) An educational agency intending to close down the school shall intimate such intention to the director prior to one clear school year with a copy to the Local Self Government Institution.
- (2) The director may, after considering all aspects, and due consultation including the concurrence or recommendation of the Local Self Government Institution grant permission for the closure of the school. If the director feels that such closure will lead to an educational vacuum in the area, he may initiate steps to take over the management of the school as per rules. No such notice of closure shall be entertained unless adequate reasons for such closure are adduced to the satisfaction of the director.

## **Chapter V**

### **INSPECTION AND ACADEMIC SUPPORT**

#### **1. Inspection of schools**

- (1) School inspection and visit shall be regularly conducted by the persons duly authorised, with a view to improving administrative efficiency and enhancing academic quality. The implicit purpose of such inspection and visit shall be enabling and facilitating rather than fault-finding.
- (2) The education officer or the persons authorised shall visit the schools at work during their ordinary course of functioning for the proper appraisal and scrutiny of their academic and administrative activities and suggest measures for rectification of defects and further improvement.
- (3) The director shall ensure and monitor that the education officers discharge their inspectional and academic support functions regularly and judiciously.
- (4) The director shall, if necessary, arrange for special inspection or visit of a school or a special category of schools or a particular activity, programme or project in all or selected schools, by a competent person or a team of such persons duly authorised.

- (5) Besides, officers duly authorised to conduct and oversee academic programmes in specified languages, subjects or other areas of teaching are also entitled to inspect the schools for the specified purpose.

2. **Detailed inspection by education officer**

- (1) The education officer shall conduct a detailed inspection of the schools under his jurisdiction once a year, which shall be completed before the end of October. He shall give the headmaster 15 days' notice prior to the visit. During the inspection, the education officer shall ascertain whether:
  - (a) the method of teaching and the class room practices are in conformity with the curriculum, syllabus and the guidelines and aimed at the attainment of overall educational objectives;
  - (b) the teachers are regular in attendance;
  - (c) the overall atmosphere and interpersonal relations in the school are conducive to the healthy development of the pupils,
  - (d) the teachers have made sufficient preparatory work for the effective management of the class;
  - (e) available teaching aids and appliances are effectively and optimally used;
  - (f) the progress of pupils is assessed and evaluated individually and reported to the parents at regular intervals;
  - (g) registers and records required by the rules are maintained by the headmaster;

- (h) health care, immunisation and such other welfare programmes are implemented properly;
  - (i) suitable facilities are provided for children with disabilities;
  - (j) required facilities including play grounds, drinking water and toilets are provided for and maintained satisfactorily;
  - (k) the building is safe and suitable and the premises are kept clean, safe and hygienic;
  - (l) the furniture and other accessories, appliances, equipment and teaching aids are available and maintained properly;
  - (m) necessary laboratory and library facilities are provided and are made available to the pupils without any hindrance;
  - (n) co-curricular activities and other enrichment programmes are conducted;
  - (o) the meetings of the Parent Teacher Association are held regularly; and
  - (p) instructions issued by the Government and the department are duly complied with.
- (2) Besides ascertaining the matters referred to in sub-rule (1) above, the education officer shall record his general impressions and specific comments on the performance and problems of the school with suggestions for improvement. Outstanding performance, laudable initiatives and innovations shall be documented and made known for possible adoption by other schools.

- (3) The education officer shall, within a week after inspection, send the report to the headmaster. Major lapses, if any, observed during the inspection shall be brought to the notice of the deputy director.
  - (4) The headmaster shall acknowledge the receipt of the report and within a month rectify the defects and shortcomings and send a rectification report. Reluctance on the part of the headmaster or any member of the staff to rectify the defects shall be treated as dereliction of duty and shall be proceeded against.
  - (5) Besides the detailed inspection, the education officer concerned shall conduct surprise visits for general appraisal or for any specific purpose as deemed necessary.
  - (6) The deputy director shall closely monitor the progress of school inspection and the rectification of the major lapses brought to his notice. He shall take appropriate action where the inspecting officers fail to conduct timely inspection and to pursue follow up action.
  - (7) The director shall evaluate and monitor the progress of inspection based on the reports of the deputy directors.
3. **Inspection by the deputy director and the director**
- (1) The deputy director shall conduct general inspection of at least one school in a month. He shall also verify whether the detailed inspections by the education officers are conducted properly.
  - (2) The director shall personally inspect a few schools selectively to evaluate their progress and problems. He may communicate the observations or findings of such inspection to the education officers for general guidance



and compliance as deemed necessary. He may also seek the services of subject experts if necessary during such inspection.

4. **Academic support system**

- (1) Over and above the inspection by the education officers, there shall be a regular academic support system to provide academic inputs and to cause continuous evaluation with a view to accomplishing specified educational objectives. These activities shall include the formulation, implementation, monitoring and evaluation of inservice teacher training and skill development programmes.
- (2) Such academic support systems shall be coordinated by the SCERT at the state level and by the DIETs at the district levels. All such programmes shall be aimed at the enrichment of the quality of education initiated by the department or any other agency including Local Self Government Institutions. It shall be open to Government to provide special support mechanisms for effective implementation, monitoring and evaluation of new academic programmes or projects. Such functionaries shall be entitled to visit schools for this purpose and facilitate the smooth implementation of the programmes or projects. The director may confer, if necessary, such powers on these functionaries as required, for the effective implementation of the programmes or projects.

## Chapter VI

### ADMISSION, TRANSFER AND REMOVAL OF PUPILS

#### 1. **Conditions of admission**

- (1) No pupil shall be refused admission to any school on the ground of caste, community or religion. Test or interview for assessing the eligibility for admission to Pre primary stage or standard I shall not be resorted to as a method of selection. Preference may be given to pupils residing in the locality.
- (2) A pupil who has been expelled from any school may be admitted to any other school with the prior permission of the education officer. A pupil who has been convicted by a court for a criminal offence may be admitted to any school or allowed to continue in any school with the permission of the director.

*Note:*

*A juvenile offender released from a certified school does not come under the above provision and a transfer certificate issued by the superintendent of the certified school shall be deemed to be a transfer certificate issued from a recognised school.*

- (3) No pupil shall be admitted or allowed to continue in any school, if it is clinically proved that he is suffering from a contagious or communicable disease, till such time as he is certified as cured of the disease.

2. **Age limit for admission**

- (1) No child below the age of five years as on the 1<sup>st</sup> of June of the year of admission shall be admitted to any school except to the pre school stage of education.
- (2) A pupil seeking admission to any standard shall have completed the age prescribed for the respective standards as in the chart:-

Standards	I	II	III	IV	V	VI	VII	VIII	IX	X
Age as on the 1 <sup>st</sup> of June of the year of admission	5	6	7	8	9	10	11	12	13	14

Provided that the education officer may for good and sufficient reasons exempt a pupil from minimum age by a period not exceeding three months for admission to any standard up to standard X.

When a pupil who had his studies previously in a school outside the state seeks admission, the education officer may relax the minimum age by a period not exceeding one year. Such relaxation granted should be entered in the admission register.

Provided that only one of the above exemptions can be availed of by a pupil during the entire course of his school study.

3. **Admission**

- (1) Application for admission shall be made in the prescribed form by the parent or guardian of the pupil and accompanied by a certified extract from the register of births showing the date of birth of the pupil.
- (2) In the case of an orphan, a declaration from the applicant shall be furnished to the effect that the date of birth of the pupil shown in the application is true to the information, knowledge and belief of the applicant.
- (3) Admission of a pupil in standard I shall ordinarily be made during the midsummer vacation and in any case within two months from the date of reopening. Pupils may also be admitted to standard I during the first five working days after the *vijayadasami* day.
- (4) The headmaster is competent to admit any pupil to any standard at any other time for sufficient and valid reasons, to be recorded in writing.
- (5) Admission on the basis of a transfer certificate shall be granted to any pupil on application within a period of four weeks from the date of issue of such transfer certificate.
- (6) No pupil shall be admitted to any standard other than standard I without the production of a transfer certificate or an equivalent certificate. However, in the case of pupils who have availed of the benefit of the provisions for not attending regular classes as contemplated in these rules, may be admitted on the strength of a certificate issued by the headmaster of a Government or recognised school, where the pupil has appeared for the annual examination of the immediate lower standard.

- (7) Birth certificate is not necessary for admission on the basis of a transfer certificate.
- (8) Admission under these rules shall also include re-admission.

4. **Admission of pupils on migration from other states**

Pupils migrating from schools in other states of India or abroad shall produce transfer certificates or other equivalent documents countersigned by the education officer or the competent authority of that area

Provided that:

- (a) those institutions are recognised by the respective Governments;
- (b) admission is sought within four weeks from the date of issue of the transfer certificate or equivalent document; and
- (c) the headmaster is satisfied as to the academic eligibility of the pupil for admission to that standard.

5. **Admission of pupils after private study**

- (1) Private study may be allowed upto standard III where a child is debilitated or prevented by exceptional circumstances or disability of any kind from attending regular school. Such pupils may seek admission to a standard of their competence in a recognised school to a stage not exceeding standard IV at the earliest opportunity, subject to age limit. However, such admission shall be subject to the condition that they have passed the annual examination conducted at a Government or recognised school.

- (2) Such pupils seeking admission to any standard upto standard V shall be presented to a school for the annual examination of the previous standard to which they seek admission. A fee at the rate specified and as may be revised by the Government from time to time shall be collected for such examinations. They shall not be deemed to be on the rolls of the school, as on the dates of examination.
- (3) Every pupil shall remit an annual examination fee at the rates fixed by the Government from time to time. The pupils belonging to scheduled castes/tribes shall be allowed to appear for such annual examination after private study without payment of any fee.
- (4) A pupil who had attended a school, but dropped out for more than one year, may also be admitted to a standard just below the one in which he would have continued but for the interruption.

6. **Admission register**

- (1) Every school shall maintain an admission register in the form specified.
- (2) When a pupil is admitted to a school, the details furnished in the application with regard to his name, date of birth, religion, community, names of parents / guardian and such other details have to be entered in the admission register and attested by the headmaster. The parent or guardian shall have the freedom not to record the religion or community of his ward.
- (3) The date of birth of the pupil shall be entered in words as well as in figures and the entry shall not bear any mark of erasure or overwriting. Such entry, once verified by the parent, shall not be corrected, without the prior permission of the Commissioner for Government Examinations.

- (4) Any correction or alteration of the entries in the admission register shall be made only with the sanction of the education officer.

7. **Alteration of entry in admission register**

The headmaster shall communicate the extract of admission register to the parent/guardian within six months from the date of admission. The parent / guardian may return the extract with corrections if any within a month. The headmaster shall incorporate and attest the bonafide corrections in the admission register.

8. **Removal of pupils from the rolls**

- (1) A pupil shall be removed from the rolls if:
- (a) he has been promoted from the highest standard in the school;
  - (b) his transfer certificate has been issued;
  - (c) he has been absent without permission or leave for fifteen working days consecutively or has been continuously absent for five working days from the re-opening day without leave;
  - (d) he has been given the punishment of removal with the approval of the education officer; or
  - (e) he has been convicted by a court of law for a criminal offence.
- (2) A pupil who has been presented for a public examination in standard X based on his institutional study shall be deemed to have been removed from the rolls.

9. **Readmission after removal from rolls**

A pupil who has been removed from the rolls of a school for want of attendance, but whose transfer certificate has not been issued, may on application, be readmitted to the class in which he was studying at the time of his removal.

10. **Special provisions regarding re-admission**

- (1) A pupil who has obtained the minimum percentage of attendance in standard X shall not be eligible for readmission to that standard. But this provision shall not apply to the pupils belonging to scheduled castes and scheduled tribes, the pupils who have participated in the state or national school games and sports meet and children with disabilities.

Provided that such benefit of readmission shall not be extended for more than two consecutive school years.

- (2) The pupil who has not secured the specified percentage of attendance in standard X shall be permitted to repeat the course for another year.

11. **Issue of transfer certificate**

- (1) The headmaster shall issue transfer certificate to the pupil who has passed or completed the course of the highest standard of a school, on any day during the summer vacation or thereafter in the prescribed form.
- (2) In case the parent / guardian of a pupil makes an application for transfer certificate consequent on change of residence or for any other valid reasons, transfer certificate may be issued at any time.



12. **Delay or refusal to issue transfer certificates**

- (1) In the event of the headmaster refusing or delaying the issuance of a transfer certificate for which an application has been made, the parent or guardian shall have the right of appeal to the education officer concerned whose decision shall be final.
- (2) In the event of any dispute between parents regarding the custody of the pupil, the headmaster may, notwithstanding the merit of the dispute, issue the transfer certificate to the parent with whom the pupil ordinarily resides.

13. **Issue of duplicate transfer certificate**

In the case of irrecoverable loss or irreparable damage of a transfer certificate, a duplicate transfer certificate may be issued by the headmaster on application from the parent/guardian or the pupil himself if he is above 18 years and on payment of a fee of Rs.25 and accompanied by an affidavit. The duplicate certificate should be clearly marked, in red ink, as 'duplicate'.

Provided that no fee for the duplicate certificate shall be levied on a pupil belonging to scheduled castes or scheduled tribes.

14. **Issue of certificate of school education**

The certificate of school education in the form prescribed may be issued free of cost to any pupil.

15. **Issue of extract of admission register**

- (1) Where a pupil has neither completed the course of study nor passed the public examination, the extract of admission register shall be issued on

application by parent/guardian or by the pupil himself if he is over 18 years.

- (2) Such extracts of admission registers shall be on a stamp paper at the rate applicable as per the Kerala Stamp Act, to be purchased by the applicant. Provided that the extract of admission register may be issued in plain paper for departmental purposes.

## **Chapter VII**

### **ATTENDANCE, HOLIDAYS AND VACATION**

1. **Summer vacation**

All schools shall be closed for summer vacation every year on the last working day of March and reopened on the first working day of June of that year, unless otherwise notified by the director.

Provided that Government may, by notification in the gazette, permit the director to limit the duration of summer vacation either to compensate for the loss of working days or for any other reason to be stated, in respect of all the schools or specified category of schools.

2. **Instructional days**

- (1) There shall ordinarily be a minimum of 220 instructional days including examination days in each academic year for the stages of education up to standard X.
- (2) There shall be a minimum of five instructional days in a week and each instructional day for standards I to X shall have seven periods each of 45 minutes duration.
- (3) For higher secondary and vocational higher secondary stages of education, there shall be six instructional days in a week and each instructional day shall have six periods each of 55 minutes duration.

3. **School timing**

The normal school timing shall be from 9 a.m. to 3 p.m. However the headmaster may, taking into account the local conditions and general convenience and with the concurrence of the staff council and the Parent Teacher Association, marginally alter the timing, which shall not exceed 45 minutes. Such changes shall be duly intimated to the education officer.

4. **Holidays**

- (1) School holidays shall be as indicated by the director in the calendar notified under these rules.
- (2) For good and sufficient reasons, the district collector may declare any day as a special holiday for all the schools or any school within his jurisdiction. The Deputy Director concerned may also exercise this power for appropriate reasons.
- (3) The headmaster of a school may, for unavoidable and unforeseen reasons, declare any day as a special holiday for that school and report the fact to the education officer concerned.
- (4) The loss on account of a special holidays so declared shall be compensated by converting a weekly holiday as instructional day.
- (5) The headmaster, teachers and non-teaching staff of the school need not necessarily be present on special holidays.

5. **School education calendar**

- (1) The director shall publish before the 15<sup>th</sup> of March of every year, the school education calendar for the ensuing school year. School education calendar shall, among other things, indicate:
  - (a) the re-opening day after vacation;
  - (b) public holidays;
  - (c) ascertainable local holidays;
  - (d) the schedule of academic evaluation;
  - (e) the dates of terminal examinations;
  - (f) the dates of annual examinations;
  - (g) the dates of closing and reopening for Onam and Christmas holidays;
  - (h) the instructional days;
  - (i) the tentative dates for school, district and state festivals, events of sports and games; and
  - (j) general information with regard to curriculum, syllabus and co-curricular activities.
- (2) All Government and recognised schools shall strictly adhere to the school education calendar.
- (3) Copies of the school education calendar shall be supplied to all Government and recognised schools free of cost.

- (4) The director may, if found necessary, announce alterations in the calendar at any time during the academic year.

6. **Attendance register**

- (1) Every school shall maintain attendance registers in the prescribed form for each division.
- (2) Names of pupils who are unauthorisedly absent for more than ten days consecutively or are habitually irregular shall be reported to the parent.
- (3) Percentage of attendance of every pupil during a school year shall be entered in the attendance register on the date of closing for the summer vacation.

7. **Minimum attendance**

- (1) A pupil who has attended 85% of the instructional days till the end of February shall be deemed to have secured the required minimum attendance, which is a prerequisite for promotion to the next standard or for presentation for a public examination. However, the headmaster is competent to condone the deficiency in attendance up to 20%. Such condonation shall be granted only on a timely application for leave submitted by the parent and if the pupil has shown sufficient progress in his studies. The education officer may, for sufficient reasons to be recorded in writing, condone the deficiency of attendance not exceeding 35% to a pupil who has a satisfactory academic record as reported by the headmaster.
- (2) Names of pupils whose shortage of attendance has been condoned by the headmaster may be furnished to the education officer for information.

- (3) Shortage of attendance alone shall not be a ground for not promoting pupils.

## **Chapter VIII**

### **CURRICULUM TRANSACTION AND EVALUATION**

#### **1. Curriculum and syllabus**

- (1) The curriculum and syllabus for the various stages of education shall be formulated by the State Council of Educational Research and Training (SCERT) and duly approved by the state curriculum committee. The Government may approve or, if found necessary, suggest modification or total revision of the curriculum and/or syllabus. After such approval, the director concerned shall be authorised to notify the curriculum. Such a notification shall ordinarily be issued at least six months prior to the reopening of the schools.
- (2) On approval of the curriculum and syllabus by the Government, the SCERT shall prepare or revise the textbooks, and teachers' manuals. The curriculum for the various stages of education shall be prepared on the basis of a curriculum approach document. This seminal document shall be prepared by taking into consideration the socio-economic diversity, ever-changing educational needs and emerging opportunities. It shall indicate the optimum level of academic attainment at each stage and shall conform to the national standards.
- (3) The SCERT shall ensure the active participation of eminent teachers, educationists and experts in the preparation of curriculum and syllabus



and the finalisation of textbooks. The SCERT shall endeavour to harmonise the curriculum, syllabus and textbooks with the shared moral and social values, gender sensitivity, scientific temper, human rights, sense of nationalism, patriotism, secular values and democratic principles.

- (4) The SCERT shall make suitable institutional arrangements to constantly review and evaluate the curriculum and pedagogy and update them suitably so as to make them relevant and feasible.

## 2. **State curriculum committee**

- (1) The Government shall constitute a state curriculum committee consisting of eminent academicians, teachers with acclaimed contributions and experts in various subjects including languages. The minister for education shall be the chairman and the secretary, general education shall be the vice-chairman. The directors shall be the ex-officio members. The term of office of the members of the curriculum committee other than the ex-officio members shall be three years. The director, SCERT shall be the ex-officio convenor.
- (2) The committee shall scrutinise or cause to scrutinise by experts, the curriculum, syllabus and the textbooks. Significant changes effected in the existing curriculum or textbooks shall be placed before the curriculum committee.
- (3) There shall be sub-committees to look into the academic requirements of Vocational or Higher Secondary stages of education.

3. **Medium for curricular transaction**

- (1) The medium of curricular transaction in all the schools and institutions other than those in the Higher Secondary stage, shall ordinarily be Malayalam or the regional language. However, Government may sanction English medium parallel divisions on request from standard IV. In areas where Tamil or Kannada is predominantly in use, parallel classes or divisions in Malayalam medium shall be permitted and vice versa.
- (2) The curriculum and syllabus from Early Childhood Development (ECD) stage to standard III, in the schools recognised under these rules shall be as prescribed by the state Government. English as a second language shall be appropriately introduced from standard I. But the medium of curricular transaction shall be the regional language upto standard III. Schools seeking affiliation to any central board shall follow the curriculum and syllabus prescribed by the State Government till regular affiliation is obtained.
- (3) The medium for curricular transaction shall be English for Higher Secondary stage of education.
- (4) Teaching of English as second language shall commence from standard I.
- (5) Government may on request from the headmaster and the manager and duly recommended by the education officer, sanction English medium classes from standard IV. Pupils studying in English medium shall also necessarily learn the regional language. However, exemption from studying the regional language may be granted by the director in exceptional cases where the mother tongue of the pupil is other than Malayalam, Tamil or Kannada.

- (6) Hindi shall be taught in addition to English from standard V
- (7) Learning of any other language like German, French, Cyriac, etc. from standard V may also be permitted in the place of part I of the regional language, provided that there are sufficient number of willing pupils to learn the language as may be specified. The option to this effect shall be obtained from the parents.
- (8) On request in writing from parents, teaching of Arabic/Urdu/Sanskrit may be additionally introduced from standard I, provided that there are sufficient number of pupils as may be specified.
- (9) The existing schools where Arabic or Sanskrit is adopted from standard V as first language in the place of regional language may be allowed to continue as such.

4. **Methods of curricular transaction**

- (1) The method of curricular transaction shall be prescribed by the SCERT.
- (2) The teacher shall ensure that the contents of the curriculum are conveyed effectively and comprehensively to the pupils. The teachers shall however have the freedom to innovate and create classroom situations to make them meaningful, relevant and appealing to the pupils. The method of curricular transaction shall be such that it endeavours to create a suitable learning environment by which the pupil is able to internalise the curricular concepts.
- (3) The teacher shall thoroughly prepare himself for the classroom transaction in accordance with the handbooks and other instructions. It

shall be the duty of the headmaster to ascertain and ensure the quality of such preparation.

- (4) The teacher shall endeavour to inculcate in pupils, during the course of curricular transaction, appropriate social and moral values, civic sense, yearning for excellence, a sense of justice and fairness and such other values as may be envisaged.
- (5) Pupils should be given adequate opportunity to work in groups and to carry out group projects and activities so as to develop the qualities necessary for community life and peer group learning.
- (6) The teacher shall provide opportunities for self-expression to every pupil and shall foster ingenuity and creativity.
- (7) With the advent of the Cyber Age, the methods and materials of teaching and learning have undergone revolutionary changes. Learner-centred, flexible and inspiring education is possible through the use of equipment such as computer, television and Internet. Government shall endeavour to make available the benefits of modern technology for effective classroom transaction and shall equip the teachers by providing appropriate and regular training.
- (8) With a view to making education in schools keep pace with the developments in the various fields of study, Government shall create suitable institutional arrangements to monitor and incorporate them appropriately in the curriculum with the least possible time lag

5. **Academic preparation in schools**

- (1) The headmaster shall, at the beginning of the academic year, in consultation with the staff council, draw up a detailed academic plan for the school, in accordance with the curriculum, syllabus and pedagogy. There should be sufficient provisions for the personalised attention of pupils with disabilities including learning disabilities.
- (2) The headmaster shall ensure that every subject is transacted in accordance with the academic plan and shall provide necessary support to the teachers. While adhering to the academic plan, the headmaster shall not inhibit innovative classroom practices meant to foster creativity among pupils.
- (3) The headmaster of a High School shall assign to himself such part of teaching work as to enable him to be in touch with the curriculum, which shall not be less than five periods per week.

6. **Supervision diary**

- (1) Every headmaster shall maintain a supervision diary with regard to each teacher where factual details and observations relating to the work, attitudes and conduct of the teacher shall be recorded. Such entries shall be made at least once every term. The education officer shall periodically inspect the supervision diaries. Adverse remarks or suggestions made in the diary shall be communicated to the teacher for improvement and guidance.
- (2) The supervision diaries shall be kept as a permanent record as long as the teacher continues in service. In the case of recognised schools, aided and unaided, supervision diaries may be made available to the manager for

perusal, when called for. Observations of the manager shall also be communicated by the headmaster to the concerned teacher.

- (3) When a teacher leaves one school to join another, the supervision diary in respect of the teacher shall be forwarded to the headmaster of that school.

7. **Log book**

Every school shall have a log book, in which the headmaster shall objectively enter all important facts, such as the strength of pupils, staff, divisions and the events connected with the school such as the visit of the manager and education officers, special holidays, compensatory work, the particulars of long leave of employees, substitute arrangements and such other details. Subjective reflections or sweeping opinions of a general nature shall be avoided.

8. **Visitors' books**

Every school shall maintain a visitors' book, in which distinguished visitors, inspecting officers and other authorities may record their observations.

9. **Co-curricular activities**

- (1) Every school shall have facilities for the conduct of all or some of the co-curricular activities such as:
  - (a) Bharath Scouts and Guides;
  - (b) National Cadet Corps;
  - (c) Gardening; and
  - (d) activities of the various school clubs.

There shall be a teacher in charge of one or more such activities. As far as possible, every pupil should have opportunity to participate in one or more of the co-curricular activities. The headmaster shall be the patron of such organisations, clubs or groups in the school.

- (2) Definite monthly programmes shall be chalked out for the effective enforcement of co-curricular activities by the teachers in charge, in consultation with the staff council.

**10. Immunisation and health care**

- (1) The Government may endeavour to provide immunisation and comprehensive health care to every pupil.
- (2) The Government or director from time to time shall issue necessary instructions for the effective implementation of the scheme. The Local Self Government Institutions shall involve themselves in the conduct of school based health programmes.
- (3) The headmaster of every school shall maintain a record of the implementation of such schemes and issue certificates of such immunisation to the pupils, if required.

**11. Comprehensive and continuous evaluation**

- (1) Evaluation shall be a continuous and comprehensive process. SCERT shall lay down the overall principles of evaluation. The purpose of evaluation shall be to discover the strengths and weaknesses of the pupils and to adopt suitable strategies for their overall development.
- (2) High ethical standards shall be maintained in the conduct of annual examinations and other evaluation processes. Every teacher shall render

such assistance as may be required by the headmaster for the conduct of the examinations and the process of evaluation. They shall supervise all examinations and value the answer papers according to instructions. Strict confidentiality shall be maintained in the preparation of question papers and valuation of answer scripts and the processing of results.

- (3) Valuation of answer papers should be completed by the teachers within the time schedule specified by the headmaster. For good and sufficient reasons recorded in writing, the headmaster may revise the marks awarded by a teacher. Such cases may be placed before the staff council.
- (4) The headmaster of a school shall maintain a record of evaluation of every pupil in the prescribed form. Evaluation reports shall be sent to the parent / guardian for perusal and acknowledgement.

12. **Public examinations**

- (1) There shall be public examinations for the pupils who have completed their institutional course for secondary and higher secondary stages of education.
- (2) Commissioner for Government Examinations (CGE) shall be responsible for the conduct of public examinations and the issue of certificates. Government may, by notification, entrust with the Commissioner for Government Examinations, the conduct of any examination.
- (3) Government shall be competent to introduce public examination for any stage, if felt necessary, and to make changes in the conduct and modalities of any existing examination.



- (4) The result of no public examination shall be altered by granting extra marks by way of moderation. However, this restriction will not apply to the granting of grace marks to the various categories of candidates who are otherwise eligible for such grace marks.

13. **Promotion**

- (1) Annual examination and continuous evaluation of students shall be held in accordance with the scheme of evaluation approved by the department. A pupil shall be promoted to the next higher standard on the basis of his performance as assessed by the periodic evaluation and the final examination subject to the condition that he has the stipulated minimum attendance. Percentage of marks obtained in the annual examination alone need not be the basis for promotion.
- (2) The education officer may, in the event of complaint, call for such records relating to the promotion of pupils as may be necessary and pass appropriate orders.
- (3) List of pupils promoted from each standard shall be published under the dated signature of the headmaster on such date as may be prescribed by the education officer, but not later than three weeks before the reopening day. The published lists shall be retained as such for the first fifteen working days, after which they shall be preserved in the school records.
- (4) No alteration shall be made in the promotion list after its publication, except with the approval of the education officer.
- (5) Pupils who have not attained the required level of performance may be made to repeat the same standard for one more year, and the reason for

such detention after the second year shall be reported to the education officer for concurrence.

- (6) A pupil who has completed the institutional study in standard X or XII shall not be prevented from appearing for the public examination merely on the ground that he has not shown sufficient progress in his studies or that he has not attained the stipulated age. A pupil without the required minimum attendance can also be allowed to appear for the public examination, provided the shortage in attendance has been duly condoned.

## **Chapter IX**

### **DISCIPLINE AMONG PUPILS**

#### **1. Maintenance of discipline**

- (1) The headmaster and the teachers shall instil appropriate ethical values, ensure proper conduct and maintain discipline among the pupils. They shall endeavour to create in schools an atmosphere conducive to foster compassion, non-violence, responsible citizenship, patriotism, human rights, orderly behaviour and such other shared social and moral values.
- (2) Every school shall formulate its own programme of action to translate these ideals into practice. Discipline among pupils shall be maintained more by motivation, encouragement, appreciation and acknowledgement of good conduct and orderly behaviour than by criticism and punishment. The headmaster shall demonstrate such acknowledgement and appreciation in a manner that motivates other pupils. The teachers shall endeavour to provide counselling and guidance to erring pupils and shall keep the parents appropriately informed.

#### **2. Code of conduct for pupils**

- (1) In their behaviour in the school premises, the pupils shall;-
  - (a) be responsive to the class room transaction and responsible for upholding the decorum of the school;

- (b) abide by the instructions and directions of the headmaster, principal and teachers in the matter of curricular, co-curricular and other enrichment activities and programmes;
  - (c) cultivate habits of personal hygiene and cleanliness;
  - (d) cultivate the values of tolerance, compassion and altruism; and
  - (e) not use or encourage the use of tobacco or any intoxicant or psychotropic substances.
- (2) No pupil shall do anything that violates the accepted norms of decency or offends the institutional culture.
- (3) Repetition of acts of indiscipline by a pupil, despite efforts for correction shall be communicated to the parents.

3. **Correction and deterrence**

- (1) Serious acts of misconduct or any major act of indiscipline shall be enquired into by the headmaster after giving an opportunity to the pupil and the parent, if necessary, of being heard. If such acts of breach of discipline are proven, the pupil shall be censured verbally or in writing and the fact communicated to the parent, if necessary.
- (2) Where the misconduct of a pupil leads to the loss or damage of school property or public property and if it is proved that the pupil is responsible for the loss, such loss shall be realised from the parent of such pupil(s) and the amount so realised shall be used for the repair or replacement of the damaged property.
- (3) When a pupil indulges in an act of gross indiscipline causing concern, the headmaster may, in consultation with the staff council, place such pupil

under suspension for a period not exceeding fifteen instructional days within which time the issue has to be sorted out in consultation with the parent / gaurdian.

- (4) If the issue remains unsettled for a period of fifteen days from the date of suspension or from the commencement of disciplinary action, and if the staff council is of the opinion that the continuance of the pupil is detrimental to the maintenance of general discipline, the headmaster may remove such pupil from the rolls following the prescribed procedure.

Provided that an order of removal shall be passed only after affording an opportunity to the pupil and parent of being heard.

#### 4. **Appeal**

The pupil so removed from the rolls or his parent may file an appeal before the education officer, who shall enquire into the matter, hear the parties if necessary and pass appropriate order, after considering the general interest of the school vis-à-vis the future of the affected pupil. The decision of the education officer in the matter shall be final.

## **Chapter X**

### **FEES**

1. **Collection of fees**

- (1) No fee other than the fees specified in these rules shall be charged or collected from any pupil of a Government or recognised school.
- (2) Notwithstanding anything contained in this chapter, no fee of any kind shall be levied from a pupil belonging to Scheduled Caste or Scheduled Tribe and specified categories of pupils with disabilities.

2. **Admission fee**

Government may specify the fee for admission to any standard from IX to XII and/or a Teachers' Training Institute or any other course. Such fee shall be collected by the headmaster and credited into Government account.

3. **Tuition fee in recognised unaided schools**

Tuition fees to be realised from the pupils in recognised unaided schools shall be as notified by the Government from time to time.

4. **Special fee fund**

- (1) There shall be a special fee fund in every Government and recognised school either aided or unaided. The special fee collected shall constitute the special fee fund.
- (2) No special fee shall be collected from any pupil in standards I to V.
- (3) It shall be collected in two equal instalments, one in June and the other in October. The due dates shall ordinarily be 10<sup>th</sup> of June and 10<sup>th</sup> of October. However both the instalments can be collected in June from willing parents.
- (4) Fine on belated payments and interest accrued on the special fee also shall form part of the special fee fund.

5. **Defaults in payment of fee**

- (1) A pupil who attends school even for a day shall ordinarily be liable to pay the instalment of special fee. A pupil who has not attended a school on any day during the academic year shall not be liable to pay any fee for that year.
- (2) Special fee shall be collected at the time of admission.

6. **Rate of special fee**

Subject to such exemptions and revisions as may be notified, the rate of special fees shall be as specified below:-

Standards VI to VIII	Rs.20/-
Standards IX and X	Rs.30/-

Standards XI and XII,

Teachers' Training Institutes,

Pre Primary Teachers' Training Institutes and

Language Teachers' Training Institutes

Rs.50/-

Government may prescribe additional special fees for students in science group in standards XI and XII.

7. **Utilisation of special fee**

The special fee fund may be suitably apportioned for the activities that are of general interest to the school. It may be utilised for the following purposes, depending on the requirement of each school.

- (a) festival activities
- (b) games
- (c) physical education
- (d) library
- (e) laboratory
- (f) scouts and guides
- (g) purchase and maintenance of furniture
- (h) stationery, teaching and learning materials
- (i) school clubs
- (j) craft
- (k) excursion
- (l) travel expenses to participate in fairs, festivals, sports events
- (m) audio-visual equipment, public address system and other electronic equipment



- (n) recurring charges for maintenance of any equipment and
- (o) first-aid and medical examination.

However, expense on any single item shall not exceed 25% of the annual collection.

8. **Operation of special fee fund**

- (1) The headmaster shall apportion and utilise the special fee fund with the concurrence of the staff council for the purposes for which it is meant. It should be used for such items which give optimal advantage to the school.
- (2) Unspent balance of each year shall be carried over for utilisation in the succeeding year.
- (3) Amounts collected under this fund or otherwise shall be deposited in a savings bank account. Expenditure shall be from the amount withdrawn from the account. No withdrawal shall be made without adequate reason and no amount so withdrawn shall be retained for more than ten days. However, the headmaster may withdraw and retain an amount not exceeding Rs.1500/- in an Upper Primary School and Rs.3000/- in a High School or Higher Secondary School as permanent advance to meet contingent expenditure.
- (4) The headmaster may incur an expenditure up to Rs.500/- for the purchase of any approved item when a contingency arises. A sub committee of the staff council shall be constituted for effecting purchases exceeding Rs.500/-.

9. **Library**

- (1) There shall be a post of librarian in a Higher Secondary School. His qualifications shall be as fixed by Government.
- (2) If the services of a librarian is felt necessary for the proper functioning of a library in a High School, the Local Self Government Institution or / and the PTA may engage a qualified person as librarian and meet the honorarium from their funds. However, this should be done in the case of recognised schools, with the concurrence of the manager.
- (3) The special fee apportioned for library shall be utilised for the purchase of books and audio visual aids that are of general interest and reference value for pupils and teachers.
- (4) Purchase of cheap and unsuitable books and materials and too many copies of the same shall be avoided.
- (5) The special fee fund may also be utilised for the proper maintenance of old books.
- (6) The headmaster shall make arrangements to ensure the effective distribution of library books and learning materials to the pupils.

10. **Loss of library books**

When a book or any such item is lost, the borrower shall replace it if it is available in the market. If not, ten times its face value shall be realised

11. **Festival fee**

In addition to the special fee, there shall be a festival fee at the rate specified by the Government. It shall be collected along with the first instalment of special fee and remitted to the accounts of the concerned.

## **Chapter XI**

### **CONDITIONS OF SERVICE OF EMPLOYEES OF AIDED SCHOOLS**

#### **1. Appointment of employees in recognised schools**

- (1) Appointment of a person as an employee in any aided school shall be made from among qualified candidates.
- (2) Whenever a vacancy arises or is likely to arise, the manager shall notify such vacancies.
- (3) A vacancy, the duration of which is two months or less, shall not be filled up. However, such a vacancy may be filled up on temporary basis.
- (4) The services of a person appointed as a non-teaching employee shall not be terminated on account of the mid-summer vacation.

#### **2. Qualifications for appointment**

The qualifications for appointment to the various categories of teachers, principals, headmasters and teacher educators and other employees in the various stages of school education shall be as prescribed by the Government.

3. **Selection and appointment in schools managed by the Local Self Government Institutions**

The appointment of teaching and non-teaching staff in the schools managed by the Local Self Government Institutions shall be made through the PSC and the employment exchanges as in Government schools.

4. **Age limits**

The minimum and maximum age limits and the norms regarding the relaxation of age limits as applicable to the employees in the Government schools shall, *mutatis mutandis*, apply to the appointments in aided schools.

5. **Appointing authority**

In recognised schools, both aided and unaided, the manager shall be the appointing authority.

6. **Probation**

A person appointed in a school shall be on probation for a total period of one year within a continuous period of two years. The appointing authority shall declare the period of successful completion of probation, if they are found satisfactory. If the work and conduct of the probationer are not found to be satisfactory, the period of probation is liable to be extended for a further period of one year at a time. When a teacher whose probation has been declared is promoted or appointed to a higher post or a post in a different category on regular basis, there shall be no further period of probation. When an employee who is on probation is promoted

or appointed to a higher scale of pay, the remaining period of probation in the lower scale shall be completed in the service in the higher scale.

7. **Promotion**

Promotion to a post on a higher time scale of pay shall be in accordance with the qualifications and the seniority in the lower time scale of pay in the eligible category and subject to availability of vacancy. The person who possesses the prescribed qualifications on the date of occurrence of vacancy shall alone be considered for promotion. Direct recruitment shall be resorted to such posts in the absence of qualified candidates for promotion, except in the case of headmaster / principal. However, in the case of minority institutions, the principle of seniority need not necessarily be followed for promotion to the post of headmaster / principal.

8. **Fixation of pay**

A person promoted to a higher time scale of pay shall be eligible for fixation of pay in the higher scale from the date of joining in that post, subject to the relevant provisions in the Kerala Service Rule (KSR).

9. **Right for re-appointment**

A person appointed in a higher scale of pay, but retrenched subsequently on abolition of the post, shall have preferential claim for re-appointment to that post over a qualified person working in the lower grade, provided that the person in the lower post has a total teaching service lesser than that of the retrenched person.

10. **Reversion**

- (1) A person promoted shall, on expiry of the term of appointment or on reduction in the number of posts, be liable to be reverted. In the event of such reversion, the junior-most in the category to which the person is reverted, is liable to be retrenched, if no vacancy is available in the lower post. If the person reverted is the junior most, he shall be retrenched.
- (2) A person promoted or appointed to a higher scale shall have the right of reversion to the lower scale of pay, on request. Such persons will not have claim for future promotion to that category.
- (3) A person who is reverted to a lower scale of pay on account of reduction in the number of posts or on expiry of the term of vacancy, shall draw the pay and annual increments in the lower post as if he had not been promoted or appointed.
- (4) The period of service in a post in a time scale at the same stage shall count for increment in that time scale, subject to the satisfactory completion of probation.

11. **Seniority in a category**

- (1) Seniority of a person in a category in any grade in an educational agency shall be decided with reference to his qualified and continuous service in that grade under that agency. If there are more than one person with the same date of commencement of continuous and qualified service, seniority shall be decided with reference to the date of the first qualified appointment in the category in that unit. If the date of continuous qualified service and the date of first appointment happen to be the same,

seniority shall be decided with reference to the age, the elder being the senior.

- (2) A person who has been promoted or appointed to another category or higher scale of pay shall have the right to reclaim his rank and seniority in the event of reversion.

12. **Seniority list**

- (1) Every educational agency shall prepare and maintain a seniority list of each category of employees as on the 1<sup>st</sup> of January of every year, considering all the schools under the agency as a single unit and circulate it among the employees calling for their objections, if any, and finalise the lists with the approval of the education officer concerned. While approving the list, the education officer shall consider the objections, if any, on the fixation of seniority and settle the dispute after hearing the aggrieved persons, if found necessary.
- (2) The seniority list shall be updated every year. There shall be category-wise seniority lists and a combined seniority list for teaching and non-teaching staff.
- (3) An employee, aggrieved by the seniority list, may prefer an appeal to the officer who is immediately superior to the officer who approved the list, within a period of two months from the date of publication of the seniority list.
- (4) There shall be combined seniority lists of (i) High School teachers (full-time) and all equated categories including those who have been promoted as Higher Secondary or Vocational Higher Secondary School teachers and (ii) all categories of full-time Primary teachers.

13. **Filling up of vacancies**

- (1) Vacancies that occur in the last month of the academic year, other than that of the headmaster or the principal or non-teaching staff, shall not be filled up till the re-opening day of the next academic year. Vacancies in the post of last grade employees at the close of an academic year also shall not be filled up till the re-opening day if the service of one last grade employee is available.
- (2) As far as possible vacancies shall be filled up by the manager within two weeks from the date of occurrence of vacancy.
- (3) The appointing authority shall assess the vacancies sufficiently early and make appointments within 15 days from the date of occurrence of vacancies. Where appointment by promotion is permitted by the rules, such promotion shall be ordered by the appointing authority from among the eligible categories within a period of 15 days.
- (5) Appointment on compassionate grounds in favour of dependants of deceased employees shall be made to any of the available vacancies if no person is awaiting re-appointment as specified in these rules. Candidates seeking appointment on compassionate grounds shall be preferred to those awaiting promotion.

14. **Relinquishment of promotion**

A person who has a preferential claim for appointment or promotion to a future vacancy shall have the right to relinquish the appointment or promotion for a specified period, or permanently. A person who has temporarily relinquished the right to promotion for a specified period shall lose the seniority as against the juniors who are promoted during the



period of such relinquishment. The relinquishment shall be in the form of an undertaking on a stamp paper. The education officer shall record it in the service book. Conditional relinquishment shall not be accepted. Right of such relinquishment shall not be exercised more than twice by an employee.

15. **Approval of appointment**

- (1) The following documents shall be produced by a person appointed in a recognised aided school:-
  - (a) original certificates to prove the age, qualifications and conduct;
  - (b) a medical certificate of fitness from a registered medical practitioner; and
  - (c) two photographs of the candidates duly identified.
- (2) The manager shall within 15 days make an application before the education officer for approval of the appointment. Such application shall contain the following documents:-
  - (a) original certificates to prove the age and academic qualification;
  - (b) conduct certificate in original;
  - (c) two identified photographs;
  - (d) medical fitness certificate in original;
  - (e) statement showing the nature of vacancy; and
  - (f) statement showing the details of the claimants, if any, for promotion or re-appointment.

- (3) The education officer shall, on receipt of the proposal, scrutinise it with reference to the documents and statements and approve the appointment within 30 days from the date of receipt of the proposal, if the application is in order. If, for any valid reason or for want of any material particulars, a decision could not be taken by the education officer within the time limit, the reason thereof or the requirement of further details shall be made known to the manager and the appointee within 10 days of the receipt of the proposal. If details are not furnished within the time limit, the education officer shall pass appropriate orders. If the appointment cannot be approved, the decision shall be communicated to the manager and the person concerned and the documents returned within the time limit.
- (4) While considering any proposal for approval of appointment, the education officer may consider the representation from any person adversely affected by the appointment and afford an opportunity to the manager and the persons concerned to present their case.
- (5) If aggrieved, the manager may file an appeal before the deputy director against the decision of the education officer in the matter of approval of appointment within 30 days from the date of receipt of the order. Such appeal shall be disposed of by the deputy director within 30 days and after affording an opportunity to the persons concerned, of being heard, if necessary. However, in appropriate cases, delay in filing the appeal may be condoned by the appellate authority.
- (6) A final decision on the approval of appointment shall be made during the course of the academic year. All original orders shall be passed by the

education officers not later than 31<sup>st</sup> of January and by the appellate authority not later than 31<sup>st</sup> of March.

16. **Transfer**

- (1) Where more than one school is under the same educational agency, the educational agency may transfer any teacher from one school to another and in deciding on these transfers the principles followed in Government schools shall be observed to the extent possible. The principles of transfer shall be as follows:
  - (i) The chief and foremost criterion for transfer of headmaster shall be the seniority.
  - (ii) Every headmaster shall be allowed to exercise a choice of 3.
  - (iii) Exceptions to the seniority criterion shall be allowed to those categories as are allowed in the case of Government school teachers.
  - (iv) Cases coming under administrative interest shall include unsuitability, allegations of corruption, misuse of official position, disciplinary action, incompetence, and consistent poor performance.
  - (v) Cases of deviation from the seniority norms may be appealed against before the Director of School Education.
  - (vi) Cases of exceptions to the general rule of seniority put together may not exceed 25% of transfers.
  - (vii) Mutual transfers on request shall not be ordinarily entertained.

(viii) Transfers shall normally be effected at the beginning of the academic year.

- (2) A member of teaching or non-teaching staff in a school under an educational agency may be transferred to a school under another educational agency, if both the agencies and persons concerned willingly agree for the transfer. The seniority of the person on inter management transfer shall be reckoned with effect from the date of joining duty in the new school and the persons on inter management transfer shall have the right to get the pay fixed as per of the provisions of the Kerala Service Rules.
- (3) No inter-management transfer shall be permitted to fill a vacancy to which there is a legitimate claimant for appointment, re-appointment, promotion or compassionate employment under that management.

17. **Protection of pay**

The pay and allowances of teachers who are relieved on account of any reduction in the number of posts shall be protected on re-appointment in the same school or in another school under the same management or a different management whether the later appointment is permanent or not.

18. **Forfeiture of past service**

The service of a person who resigns from an aided school shall not count for the purpose of any service benefit. But resignation on being selected for another appointment shall not amount to forfeiture of past service.

19. **Application for appointment in Government or in other service**

Application for taking up another appointment by an aided school employee shall be routed through the manager of the school. But the employee is free to send applications directly after endorsing a copy of the application to the manager concerned.

20. **Relief without permission**

No manager shall relieve an employee before the expiry of the term of his appointment except with the prior permission of the education officer.

21. **Leave rules**

- (1) All matters relating to the eligibility of all kinds of leave of the aided school employees shall be governed by the Kerala Service Rules and other relevant orders in force.
- (2) The headmaster shall be competent to sanction all kinds of leave including leave without allowance for a period not exceeding 120 days. The Government shall be competent to sanction leave for study purpose and special disability leave and leave without allowance exceeding 120 days. Government may, by notification delegate the power to sanction leave without allowance exceeding 120 days, to an officer not below the rank of a deputy director.

22. **Annual increment**

An increment shall ordinarily be claimed and drawn as a matter of course in the time scale applicable to the employee, unless it is specifically withheld. The headmaster shall be competent to authorise the eligible increment. Increment due to the headmaster shall be authorised by the

education officer concerned. General provisions applicable to the Government servants under the Kerala Service Rules shall be applicable to aided school employees in the matter of increment.

23. **Suspension**

- (1) The manager may at any time place a teacher under suspension:-
  - (a) when disciplinary proceedings are contemplated or are pending against him; or
  - (b) when a case against him in respect of any criminal offence is under investigation or trial; or
  - (c) when his continuance in service is felt to be detrimental to public interest.
- (2) The Government or an officer authorised by Government under the Act may suspend a teacher of an aided school:-
  - (a) When any disciplinary proceedings are proposed to be taken against him; or
  - (b) When disciplinary proceedings are pending against him.
- (3) A teacher who is detained in custody on a civil, criminal or other proceedings for a period exceeding 48 hours, shall be deemed to have been under suspension during that period, and he cannot draw his pay and allowances, other than subsistence allowance, allowable under the rules, till the final termination of such proceedings.

- (4) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority that made or is deemed to have made the order.
- (5) No teacher shall be placed under suspension by the manager for a continuous period exceeding 15 days without the previous sanction of the education officer concerned.
- (6) Where the manager issues an order of suspension, he shall on the same day report the matter together with the reasons for suspension to the education officer. The education officer shall thereupon make a preliminary investigation into the grounds of suspension. If on such investigation the education officer is satisfied that there was no valid ground for suspension, he shall order the teacher to be reinstated by the manager forthwith. If the teacher is not actually reinstated he shall be deemed to have been on duty. It shall then be open to the department to disburse the pay and allowances to the teacher as if he were not suspended and recover the amount so disbursed from the manager.
- (7) If on such investigation it is found that there are valid grounds for such suspension, permission may be given to the manager to place the teacher under suspension beyond 15 days, if necessary. The authority mentioned above shall pass orders permitting the suspension or otherwise within the said 15 days.

24. **Review**

- (1) An order of suspension beyond 15 days may be reviewed by the authority who permitted such suspension or by a higher authority who may for reasons to be recorded in writing, cancel the permission already granted

and direct the manager to reinstate such teacher / non-teaching staff. Non-compliance of the manager to such order will invite action contemplated in sub-rule (3) of rule 23 above.

- (2) Notwithstanding anything contained in the foregoing provisions, any order of suspension shall cease to be in force and effect on expiry of a period of 6 months from the date of suspension.
- (3) Cases where teachers suspended by managers continue under suspension for a period exceeding six months have to be reviewed and decision taken soon as to whether they should continue to be under suspension or not. The review shall be conducted by an officer immediately superior to the officer who issued permission to place the officer under suspension beyond 15 days. In cases where the suspension is ordered by the Government or an officer so authorised, such review shall be conducted by the respective authority or any authority higher than the one which issued the order of suspension. The review contemplated under this sub-rule will not apply to cases of suspension in pursuance of criminal proceedings in a court.

## 25. **Discipline-Penalties**

- (1) The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed upon teachers of aided schools, namely;
  - (i) Censure;
  - (ii) Withholding of increments or promotion;
  - (iii) Recovery from pay to the extent of any pecuniary loss caused to the State Government by negligence or breach of orders;



- (iv) Reduction to a lower rank in seniority list or to a lower grade or post or time scale;
  - (v) Compulsory retirement;
  - (vi) Removal from service which shall not be a disqualification for future employment;
  - (vii) Dismissal from service which shall ordinarily be a disqualification for future employment;
  - (viii) Reduction of pension;
- (2) Withholding of increments or promotion may be either permanent or temporary for a specified period. Temporary period of withholding of increments or promotion shall not be less than six months and not more than three years. If the period is not specified in the order it will be deemed to be six months. Withholding of promotion shall not entail loss of seniority in that grade. A teacher whose promotion is withheld, shall, if and when promoted to a higher grade or higher time scale subsequently, on promotion be assigned a place at the bottom of the higher grade or higher time scale.
- (3) Recovery from pay may be resorted to where it is not possible to give effect to barring of increments.
- (4) The reduction in rank may be either permanent or temporary for a specified period. Temporary period of reduction shall not be less than six months and not more than two years. If the period is not specified in the order, it shall be deemed to be six months. An order of reduction to a lower post or a lower time scale shall entail loss of seniority.

- (5) A teacher so reduced in rank shall take his place in the lower grade or in the lower time scale at the top of the list of teachers in that grade or time scale. He shall be considered for promotion on completion of the specified period of reduction. On promotion, he shall take his place at the bottom of the higher grade or higher time scale. The previous service in the higher grade or time scale of a teacher shall on promotion to the higher grade or higher time count for increment.
- (6) No punishment shall be imposed without giving the person affected an opportunity to show cause against the action proposed to be taken.
- (7) The following shall not amount to a penalty within the meaning of this rule:
  - (a) Withholding of increment consequential to the extension of probation in accordance with the terms of appointment;
  - (b) Termination of service:-
    - (i) of a teacher appointed on probation, during or at the expiry of prescribed or extended period of probation, or
    - (ii) of a teacher appointed to hold a temporary appointment on the expiry of the period of appointment.

26. **Competence for imposing penalty**

- (1) The headmaster or the manager shall be competent to impose the punishment of censure on a teacher. The authority who may impose the penalty of censure on a headmaster shall be the manager.
- (2) The authority who may impose the penalty of withholding increments or promotion or reduction to a lower stage in a time scale shall be the

manager who shall consult the headmaster before imposing the penalty and shall also get his action ratified by the education officer.

- (3) If the penalty of reduction to a lower rank in the seniority list or to a lower post of time scale is imposed by the manager on a headmaster, he shall obtain the prior sanction of the education officer concerned.
- (4) The education officer can impose the penalty of recovery from pay.
- (5) The penalty of reduction of pension can be imposed by the education officer in extraordinary circumstances. However the amount so reduced shall not be beyond one third of the eligible pension.
- (6) The penalty of compulsory retirement, removal, or dismissal from service can be imposed by the manager only with the previous sanction of the education officer in the case of teacher and of the director in the case of headmaster.
- (7) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a teacher under suspension is set aside in appeal, revision or review under these rules and the case is remitted for further enquiry, the orders of suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
- (8) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a teacher is set aside or declared or rendered void by a decision of a court of law or the concerned authority or it is decided to hold a further enquiry against him on the said allegation, the teacher shall be deemed to have been placed under suspension from the date of

the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

**27. Procedure for imposing major penalties**

- (1) (a) On receiving a complaint or intimation or on consideration of the report of investigation, if the manager is satisfied that there is prima facie case for taking action against the teacher leading to a major penalty, definite charge or charges shall be framed and communicated to him with the statement of allegations. The teacher shall be required to submit his explanation and request for being heard in person. The teacher may on his request be permitted to peruse or take extracts from the records pertaining to the case for the purpose of preparing the written statement. The manager may, in exceptional cases, for reasons to be recorded in writing, refuse him such access if in his opinion such records are not strictly relevant to the case or it is not essential in public interest to allow such access.
  - (b) The manager shall forward the records of the case with a request to the education officer concerned or to an officer of the department appointed by the director or Government.
  - (c) The manager shall also intimate the Government or the authorised officer as the case may be, the date of initiation of the disciplinary proceedings and the date of passing the final order, within seven days from such dates.
- (2) The inquiring authority may during the course of inquiry, if it deems necessary, add, amend, alter or modify the charges framed against the

teacher, in which case, the teacher shall be required to submit within a stipulated time any further written statement of his defence.

- (3) The teacher may be further permitted to inspect and take extracts from relevant official records.
- (4) On receipt of the further written statement of defence or if no such statement is received within the time specified or where the teacher is not required to file a written statement, the inquiring authority may inquire into such of the charges which have not been admitted.
- (5) The teacher may present his case before the inquiring officer either by himself or through an authorised representative.
- (6) The inquiring authority shall, in the course of the inquiry, consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The teacher shall be entitled to cross-examine witnesses examined in support of the charges and to give evidence in person and to have such witnesses as may be produced, examined in his defence. The person presenting the case in support of the charges shall be entitled to cross-examine the teacher and the witnesses examined in his defence. If the inquiring authority declines to examine any witness on the ground that his evidence is not relevant or material he shall record the reason in writing.

*Note:*

*If the inquiring authority proposes to rely on the oral evidence of any witness, the authority should examine such witness in the presence of the teacher and give him an opportunity to cross examine the witness.*

- (7) The teacher may present to the inquiring authority a list of witnesses whom he desires to examine in his defence. The inquiring authority shall normally request such witnesses to appear before him to give evidence. Where the witness to be examined is any other teacher, the inquiring authority shall normally try to secure the presence of the witness unless he is of the view that the evidence is irrelevant or not material to the case under inquiry. Where the witness proposed to be examined by the teacher is any person other than a teacher, the inquiring authority will be under no obligation to summon and examine him unless the teacher himself produces him for examination.
- (8) At the conclusion of the inquiry, the inquiring authority shall prepare a report of the inquiry, recording the findings on each of the charges together with the reasons for such findings. It may record its findings on those charges not originally contemplated, provided that such findings shall not be recorded unless the teacher has admitted the facts constituting them or has had opportunity of defending himself against them.
- (9) The records of inquiry shall include:
- (i) the charges framed against the teacher and the statement of the allegation furnished to him;
  - (ii) his written statement if any;
  - (iii) the oral evidence taken in the course of inquiry;
  - (iv) the documentary evidence considered in the course of the inquiry;
  - (v) the orders, if any, made in regard to the inquiry;

- (vi) a report setting out the findings on each charges and the reasons therefore;
- (10) After the inquiry, the inquiring authority shall forward the record of inquiry to the manager.
- (11) If the manager is of opinion that any of the penalties specified in these rules should be imposed, he shall:
  - (a) furnish to the teacher a copy of the report of the inquiring authority;
  - (b) issue him a notice stating the action proposed to be taken and calling upon him to submit his explanation within a specified time which may not generally exceed one month.
  - (c) on receipt of the reply to such notice, if any, and after taking into consideration the representation, pass final orders imposing the penalty with the previous sanction of the competent authority.
- (12) The procedure referred to above shall be conducted as expeditiously as the circumstances of the case may permit particularly when the teacher is under suspension.

28. **Subsistence allowance**

When a teacher / non-teaching staff is placed under suspension he shall be paid subsistence allowance as may be permissible to a Government employee.

29. **Appeal**

A teacher / non-teaching staff, aggrieved by the order of suspension or the imposition of punishment may prefer an appeal to the next higher

authority within a period of one month. Such an appeal shall be considered and decided within a period of six months.

30. **Revision and review**

- (1) The Government may on their own motion or otherwise call for the records relating to the case and may revise any order passed by the education officer. Government may confirm, modify or set aside the orders of the education officer or remit the case back for reconsideration.
- (2) The Government shall, on application by the person concerned review an original order relating to a disciplinary action.

31. **Power of Government to initiate proceedings**

- (1) If a manager wilfully refrains from taking action against an erring teacher or a member of non-teaching staff, in spite of complaints and findings against him, the Government or the education officer may place such person under suspension or initiate disciplinary proceedings against him as if such officer is the disciplinary / appointing authority.
- (2) No punishment shall be imposed without an enquiry as envisaged in these rules.. Whether or not an order of suspension has been issued, a detailed enquiry shall be initiated as soon as a preliminary enquiry establishes his involvement in the alleged misconduct, irregularity or offence..

32. **Service book**

- (1) The headmaster shall maintain a service book for every employee of an aided school. The education officer shall maintain the service book of the headmaster.



- (2) When an employee leaves one institution to take up a job in another institution, his service book shall be forwarded to the head of the latter institution.
- (3) The service book shall be returned to the employee on termination of his service and settlement of claim.

33. **Annual verification**

- (1) The entries in the service book shall be verified by the headmaster in the first instance and by the education officer concerned thereafter, with reference to connected records relating to the school year. A certificate as shown below shall be recorded on each service book by the headmaster or education officer after verification. The education officer shall verify the service books at the time of annual inspection.

Service Verification Certificate:-

“Service for the period from ..... to ..... has been verified with reference to the relevant records etc. and found correct”.

34. **Duplicate Service Book**

- (1) Each employee shall maintain a duplicate of the service book duly attested.
- (2) The original service book will continue to be the primary record for all official purposes. But when the original is lost, the duplicate could be treated as original with the permission of the Government.

35. **Date of birth**

- (1) Entry in the service book regarding date of birth shall ordinarily be based on the school records. The basic record on which the date of birth is accepted shall be duly recorded. Date of birth shall be entered in words as well as figures in Christian era.
- (2) Request for alteration of entry regarding the date of birth of an employee shall be governed by the relevant orders issued by the Government from time to time.
- (3) No alteration of the date of birth in the service book shall be effected except with the sanction of Government.

36. **Provident fund and other retirement dues**

- (1) Every full-time regular employee of an aided school shall, within a period of one year from the date of entry in service, subscribe to the Kerala Aided School Employees Provident Fund (KASEPF), the rules relating to which shall be published separately.
- (2) The rules applicable to the state Government employees on other retirement benefits such as Family Benefit Scheme (FBS), State Life Insurance (SLI) (official branch) and Group Insurance Scheme (GIS) shall be applicable to the aided school employees as well.

37. **Retirement on superannuation**

The employees of in an aided school shall be governed by rules 60(a), (b), (c), Part I of Kerala Service Rules as the case may be, in the matter of retirement and the relevant rules in Part III Kerala Service Rules in the matter of pensionary benefits.

38. **Disciplinary powers of the Government or the authorised officer**

If a manager does not initiate appropriate action against the teacher, within a month from the date of intimation or after initiation of the disciplinary proceedings, or if according to Government or the authorised officer the manager has dropped the disciplinary proceedings without sufficient grounds or imposed a penalty not proportionate to the gravity of charges proved, then the Government or the authorised officer as the case may be shall take appropriate disciplinary action against the teacher concerned. But in extraordinary cases for reasons to be recorded in writing, the director may on the application of the manager extend the time allowed to the manager to complete the disciplinary action.

## Chapter XII

### ADMINISTRATION AND MANAGEMENT OF RECOGNISED SCHOOLS

#### 1. **Classification of educational agencies**

(1) An educational agency may either be individual or corporate.

(2) ***Individual educational agency***

An individual, in his own right or representing a family, in whom the right to conduct a school is vested, is treated as an individual educational agency.

(3) ***Corporate educational agency***

A body corporate constituted primarily for the purpose of providing education, and in whom the right to conduct the school or schools is vested, is treated as a corporate educational agency.

A corporate educational agency may be any of the following:

- (a) An institution, company or any other body registered under a statute or created by a statute;
- (b) A registered trust;
- (c) A registered society;
- (d) An ecclesiastical order of a religion;

(e) A Local Self Government Institution.

2. **Bylaws of corporate educational agency**

- (1) Every corporate educational agency shall have bylaws, relating to the constitution of the agency and the management of its school(s). The bylaws shall be in accordance with the provisions of the Act and rules and shall be duly approved by the education officer. If the agency has schools in more than one education district within the same revenue district, the deputy director shall approve the bylaws. If the schools are in more than one revenue district, the approval of the bylaws shall be by the director.
- (2) The bylaws of a corporate educational agency shall, among other things, contain:
  - (a) the details of the constitution of the educational agency and the manner in which it proposes to carry out the functions relating to the management of the schools;
  - (b) the manner in which the managing body shall be elected or appointed; and
  - (c) the terms and conditions, duties and powers of the managing body in respect of the management of the institutions.
- (3) The bylaws shall specify the composition of the agency, the modalities of election, selection, nomination or appointment of the manager, period of appointment of the manager and the members of the agency as the case may be, the duties and responsibilities of the functionaries of the agency, modalities of removal of the manager and such other matters necessary

for the effective administration and management of the schools under the agency.

- (4) Any change made in the bylaws shall be intimated immediately to the officer who has approved the bylaws. He shall approve the amendments, if they are in order, within a period of 15 days from the date of submission.

3. **Management of recognised educational institutions**

- (1) There shall be a manager for every recognised school. Under one manager, there may be one or more schools. An educational agency having more than one school shall designate one individual as manager of all their schools.
- (2) The educational agency shall be bound by the acts of the manager, and shall be liable for his acts of omission and commission.

4. **Approval of the appointment of manager**

- (1) The appointment or change of manager shall be intimated by the educational agency to the education officer, who shall approve the appointment or change, within 15 days, if it is in order.
- (2) The approval of appointment or change of manager shall take effect from the date of actual assumption of charge.
- (3) Any person aggrieved by an order either declining or approving the appointment of the manager may within 30 days from the date of the order, prefer an appeal to the authority having immediate administrative control over the issuing authority.

Provided that the appellate authority for convincing reasons, if any, in filing the appeal may condone the delay. The appellate authority may entertain the appeal without insisting on the time limit, if he is satisfied that the appellant has not been served with a copy of the order in question or has any genuine cause for such delay.

- (4) In the event of the death of the manager of an individual educational agency who has not specifically nominated a successor, the education officer may entrust the management with a person or persons among the possible claimants on an adhoc basis to avoid administrative breakdown, till a person duly appointed assumes charge as the manager, without prejudice to the claim of others. Such adhoc nomination shall not be cited as a proof of eligibility or superior claim. However such adhoc nomination shall not exceed a period of six months. Before the expiry of such period, the education officer may approve the appointment of a regular manager.
- (5) When the claim of management is in dispute, the education officer may ascertain the relative claims after hearing the affected parties, if necessary and propose one of them as the manager, subject to a final decision of the dispute by a court of law. While deciding on such relative claims, the education officer shall be more concerned with the capability of the claimants for the proper management of the educational institution rather than the civil claims, which may be left to a court of law.
- (6) Where the change of management involves change of ownership and amalgamation of two or more schools, the education officer may insist that the schools so amalgamated or transferred shall remain as separate units for the purpose of the service conditions of the staff, unless the

entire staff of the amalgamated institutions are willing to be treated as a single unit. Such willingness has to be obtained in writing.

5. **Correspondence to be carried on by the manager**

All correspondence relating to the management of a recognised school either aided or unaided, shall be carried on by the manager or a person appointed as the correspondent by him with the approval of the education officer.

6. **Action against manager or educational agency for mismanagement**

- (1) In the event of persistent mismanagement, misconduct and malpractice and/or conviction of the manager for a criminal offence, the education officer concerned shall, after due enquiry, declare such manager as unfit to hold the office and require the educational agency to remove such manager. He shall issue a show cause notice before proceeding with the enquiry.
- (2) Failure on the part of the manager or educational agency to comply with the provisions of the Act, the rules or orders passed by the department or Government and the continuance in office of a person declared unfit, shall be sufficient cause for initiating steps to withdraw the recognition granted for the establishment of the school or schools.
- (3) Where a manager wilfully commits serious irregularities causing monetary loss to an employee or deprives an employee of any rightful entitlements, such amount shall, after due inquiry and findings, be recovered from the manager by the education officer. The provisions of the Revenue Recovery Act may be invoked if necessary. After having



effected such recovery, the amount of loss sustained by the employee concerned shall be paid to him, if not already paid.

**7. Persons connected with management not to be appointed in schools**

- (1) No person who is a manager or a member of the managing body shall be eligible for any appointment in that school or any other school under the same educational agency.
- (2) No employee of the Government shall function as the manager or a member of the managing body of a school unless it is in an ex-officio capacity or specifically permitted by the Government in this behalf.

Provided that if a person mentioned in this rule becomes the proprietor of the school by virtue of inheritance and no other person in his family is available or qualified to be appointed as the manager, he may be allowed to function as the manager by a specific order by the Government.

**8. Duties, functions and responsibilities of the managers**

- (1) The manager of a recognised school, aided or unaided, shall:-
  - (a) create favourable conditions for a healthy and congenial atmosphere in the school;
  - (b) provide necessary facilities for imparting quality education;
  - (c) function as a link between the educational agency and the department and Government;
  - (d) manage the school strictly in accordance with the provisions of the Act and rules and the lawful directions issued by the department and Government;

- (e) support the headmaster in ensuring the general discipline of the school;
  - (f) appoint suitable teaching and non-teaching staff according to the requirement as specified in these rules;
  - (g) get the appointments of the employees approved by the education officer; and
  - (h) ensure that financial and procedural regulations are observed.
- (2) No manager of an aided school shall:-
- (a) cause any situation by which, the normal and smooth functioning of the school is hampered;
  - (b) conduct the affairs of the school in such a way as to adversely affect the interest of the school;
  - (c) interfere with the matters of disciplinary proceedings against the pupils;
  - (d) keep any employee under suspension for a period exceeding 15 days without the prior permission of the education officer; and
  - (e) permit any employee who has been convicted in a criminal proceedings to continue in the school.
- (3) The manager of a recognised unaided school shall pay salary and other emoluments to the employees every month by crossed cheque.
- (4) No manager of a recognised unaided school shall:-

- (a) terminate the service of an employee before the expiry of the term of appointment without conducting a domestic enquiry and without giving the person an opportunity of being heard;
- (b) collect any item of fee or any other fund without proper authority and accounting;
- (c) interfere with the matters of disciplinary proceedings against pupils; and
- (d) permit any person to work as employee who has been convicted in a criminal proceedings.

9. **Taking over the management of schools**

- (1) If the Government are convinced that the manager of an aided school has neglected to perform any of the duties imposed on him under the Act or rules, Government may, in public interest, take over the management of such a school, for a period not exceeding three years.
- (2) A notice shall be issued to the manager of such school to show cause within 10 days why the management of the school should not be taken over. The Government may, after hearing the manager, withdraw the proposal to take over the management subject to such conditions as the manager may agree to abide. If the manager is not prepared to set right the administration of the school, the Government may confirm the proposal and by a notification in the gazette, take over the management of the school for a period not exceeding three years.

10. **Taking over of possession and management**

- (1) Where the Government are satisfied that the taking over of management alone will not serve the educational needs, Government may take over

the possession of the land, buildings and other movable properties of the school for a limited period not exceeding 3 years.

- (2) The education officer shall, on taking over, prepare a detailed list of land, buildings and movable properties belonging to the school. One copy of the list shall be served on the management. If the manager or the representative of the education agency refuses to acknowledge receipt of the copy, it shall be affixed in a conspicuous place in the school. The procedure pertaining to the taking over of management shall, *mutatis mutandis*, be followed in the case of taking over of possession.
- (3) Government may for valid reasons, impose such conditions and suspend the notification for a specified period. On expiry of the said period, Government shall ascertain the condition of the school and decide to withdraw, modify or proceed with the proposal for taking over possession and management.
- (4) If the Government, after hearing the manager or after the expiry of the period of notice, are convinced that it is expedient in public interest to take over the management of the school, Government may issue a notification authorising an officer not below the rank of a District Education Officer to take over the possession and /or management and to function as the manager of the school, for a period to be specified in the notification.

#### 11. **Management of taken over school**

- (1) The education officer who has taken over the management shall have all the duties and responsibilities of the manager without prejudice to the ownership right of the manager.

- (2) When a vacancy arises during the period of such management, it shall be filled up by provisional appointment through the employment exchange. Such persons shall not have any claim for future appointments.
- (3) The educational agency or the manager shall not have any claim for maintenance grant or any kind of compensation during the period when the possession and/or management has been taken over. It shall be incumbent on the Government to keep the taken-over properties in a state of good repair.

12. **Acquisition**

- (1) If the manager of an aided school arbitrarily closes down a school or whose request for permission to close down a school has been declined, Government may acquire the school, in accordance with the provisions of Kerala Land Acquisition Act, if such acquisition is felt necessary to protect the academic interests of the pupils of the locality.

13. **Surrender of schools**

An educational agency may surrender any or all of the schools under it after making such an offer to the Government or to the Local Self Government Institution. The Government or the Local Self Government Institution may, subject to such conditions as mutually agreed by the educational agency and the Government or Local Self Government Institution, accept the surrender and take over the school or schools if such take over is explicitly in the educational interests of the pupils.

14. **Networking of schools**

Government and the Local Self Government Institutions shall endeavour to network the schools among themselves as well as with other suitable institutions for the purpose of effective sharing of information, good academic and management practices and other intellectual resources.

The schools in a district may be networked with the district offices as well as the Local Self Government Institutions who shall share the database for effective planning and administration.

## **Chapter XIII**

### **CODE OF CONDUCT FOR SCHOOL STAFF**

1. **Employees to maintain discipline**

Every employee of a Government school or recognised school either aided or unaided shall, at all times, maintain discipline, set good example of personal and professional integrity, be devoted to duty and adhere to the code of conduct enumerated in this chapter. Breach of any provision of the code of conduct shall attract disciplinary action as specifically provided in these rules.

2. **Conduct of teachers**

- (1) The teaching profession demands high degree of commitment and integrity. Slightest aberration in conduct on the part of the teacher has deleterious effects on the pupils and can affect the reputation of the school. The teacher shall therefore always maintain a high level of discipline and integrity.
- (2) The major areas of professional conduct of a teacher shall be viewed in relation to pupils, parents, society at large and colleagues.
- (3) The teacher shall recognise that every child has a right to receive quality education aimed at the all round development of personality. Every teacher shall endeavour to instil in the pupils a commitment to the shared

moral, ethical, national and social values through the curricular and non-curricular activities. Therefore a teacher shall:-

- (a) always be punctual;
- (b) always make thorough preparation before engaging the classes;
- (c) treat all the pupils equally without discriminating them on the basis of caste, creed, sex, status, religion, language, place of birth or any such consideration;
- (d) guide the pupils in their physical, social, intellectual, emotional, moral and spiritual development;
- (e) take notice of the individual needs and capabilities among pupils and extend individual care, affection and encouragement as may be needed;
- (f) refrain from divulging confidential information about pupils except to those who are legitimately entitled to it;
- (g) refrain from inciting pupils against other pupils, teachers or administration, management or Government;
- (h) set a standard of dress, speech and behaviour worthy of example to the pupils;
- (i) uphold the rights of children for self respect and freedom of expression;
- (j) seek to establish cordial relations with parents and make them partners in the affairs of the school;



- (k) provide information regularly to parents regarding the capabilities, problems, attainments and shortfalls of their wards;
  - (l) refrain from any act which may adversely affect pupils' confidence in themselves and in their parents;
  - (m) in association with the parents, evolve suitable strategies for individual development of pupils;
  - (n) strive to develop the educational institution as a human resource development centre;
  - (o) refrain from taking part in activities having the potential to spread the feeling of hatred or disaffection among different communities, religious, linguistic or political groups;
  - (p) develop positive cultural attitudes among pupils and parents;
  - (q) treat other members of the profession with a sense of fraternity;
  - (r) refrain from lodging unsubstantiated and frivolous allegations against colleagues or higher authorities;
  - (s) participate in programmes of professional improvement and engage in the pursuit of knowledge; and
  - (t) avoid making derogatory statements about colleagues especially in the presence of pupils, other teachers, officials or parents.
- (4) No teacher shall knowingly or wilfully neglect or avoid the prime duty of teaching.
- (5) He shall not accept any other job of a remunerative nature or undertake private tuition or associate himself in any business with a profit motive.

- (6) He shall neither involve in nor encourage violence of any kind and shall uphold high moral principles in personal life.
3. **Teacher not to accept gift**
    - (1) No teacher shall, except with the previous sanction of the Government, accept any expensive gift or reward.
    - (2) No teacher shall enter into any pecuniary arrangement leading to the resignation of any teacher or requiring that teacher to proceed on leave.
4. **Lending or borrowing**
    - (1) No teacher shall directly or indirectly engage in the business of money lending or be in prolonged or habitual indebtedness to any person or institution.
    - (2) A teacher shall refrain from smoking in the school building or premises, or any public place. No teacher shall consume alcohol or use any psychotropic substance.
5. **Membership of co-operative societies**
    - (1) Teachers are at liberty to associate themselves with the activities of co-operative societies. They shall not accept paid employment in the society except with the prior permission of the deputy director.
    - (2) In matters not specifically provided for in this chapter, the relevant provisions in the Kerala Government Servants' Conduct Rules, 1960 shall apply.

## **Chapter XIV**

### **STAFF STRENGTH**

#### **1. Staff strength**

- (1) The staff strength of a school shall be fixed annually by the education officer on the basis of the effective strength in each standard. Effective strength shall be the strength of pupils in a standard as physically verified by the education officer or any other officer authorised in this behalf during his visit for the fixation of staff strength. Five percent of the roll strength may be additionally reckoned to arrive at the effective strength.
- (2) The maximum effective strength of pupils in a division in standards I to X shall be 40. In order to sanction a second division, there shall be a minimum of six pupils over the stipulated strength of 40. However, for the subsequent divisions, the pupils' strength shall be reckoned as 40. Government may, by notification, reduce the stipulated strength of pupils in a division when deemed necessary in the interest of academic improvement.
- (3) Higher Secondary and Vocational Higher Secondary sections of a school shall offer only such courses, batches and optional subjects as sanctioned by the Government from time to time. The staff strength of Higher Secondary and Vocational Higher Secondary classes shall also be fixed during the annual verification of strength by the education officer. The

maximum effective strength of pupils in a batch of Higher Secondary or Vocational Higher Secondary section shall be 50. While the minimum strength of a batch will be 25 pupils, the minimum strength for an optional subject and for an optional language will be 15 pupils.

- (4) Sanction of divisions shall be subject to availability of accommodation, as specified in rule 7 of chapter III.

2. **Minimum strength of a standard**

- (1) The minimum effective strength of pupils per standard / batch shall generally be 20. However, it shall be deemed to have the minimum strength if the school has an average strength of 20 pupils per division. Ten pupils in each standard shall be considered as the minimum strength in schools and divisions for linguistic minorities. This rule shall also be applicable to the parallel divisions for the linguistic minority pupils.
- (2) In schools where Arabic or Sanskrit is taught as Part I and II of the first language, the minimum strength of pupils in such a standard shall be fixed as 15. It shall be deemed to have the minimum strength if such school has an average of 15 pupils per division. The same student shall not be reckoned for more than one first language option for the purpose of fixation.
- (3) In schools where a particular language is followed as the general medium of instruction, the director may permit separate divisions of any standard or all the standards with any language of a linguistic minority group as the medium of instruction. In predominantly Tamil or Kannada speaking areas of the state, where these languages have been permitted as the medium of instruction, the director may permit separate divisions of any

standard or all standards with Malayalam as the medium of instruction provided that there are ten pupils in each standard

3. **Withdrawal of recognition for want of minimum number of pupil strength**

- (1) The recognition granted to a school may be withdrawn if it fails to maintain the minimum effective strength. The education officer may issue a registered notice to the headmaster and the manager why the recognition of the school should not be withdrawn with effect from the end of that school year.

4. **Exemption from minimum effective strength**

- (1) Government may, for social and educational reasons or on the request of the manager and/or the Local Self Government Institution, grant exemption from the minimum strength of pupils in a school or any stage of education or standard(s) in a school for a period of one year, at a time. No such exemption shall be granted if alternative educational facilities are available within the reach of the pupils in that area.
- (2) If no such order granting exemption from the minimum strength is obtained before the end of the academic year, the education officer shall make necessary arrangements to transfer the pupils of that school or standard(s) to the nearest school(s) and to transfer the school records to a nearby Government school and issue orders withdrawing recognition.
- (3) The headmaster of the school to which the records are so transferred shall be the authority to issue transfer certificates, extract of admission registers, etc. to the pupils concerned and service particulars and other details to the staff of the closed down school.

- (4) In cases where specific orders granting exemption from minimum pupils' strength have been issued, such schools shall be deemed as having the minimum strength for that year.

**Strength of teaching and non-teaching staff**

5. **Primary School**

- (1) The number of teachers for Lower Primary and Upper Primary sections shall be equal to the number of sanctioned divisions. In every Primary School, whether Lower Primary or Upper Primary, there shall be a post of headmaster who will not have to be in charge of a division. When the Primary School forms part of a High School there shall be a separate headmaster for the Lower Primary section. However, in a Higher Secondary or Vocational Higher Secondary School, the primary section from standards I to VIII shall have a separate headmaster. Over and above this, there shall be posts of:-
- (a) Hindi teachers (primary) based on the number of periods available in the Upper Primary classes;
- (b) Arabic, Urdu and Sanskrit teachers (primary) based on the number of periods available in the Upper Primary section and subject to the availability of the number of willing pupils to study that particular language as specified in these rules. Posts of Arabic language teachers for Lower Primary Schools shall also be sanctioned if there are sufficient number of pupils willing to study Arabic as specified in these rules. In an Upper Primary School with Lower Primary section, the periods available in both the sections shall be reckoned for the sanction of the post(s) of Arabic teachers;

- (c) Special subject teachers in any category in an Upper Primary School where the total number of pupils is not less than 100. Strength of pupils in the Lower Primary section of that school shall also be reckoned for the purpose of sanctioning this post. In the case of an aided school, the manager shall decide the category of the special subject, taking into account the overall interest of the institution. If the pupils' strength of the school exceeds 500, an additional post of a special subject teacher shall be sanctioned. In such cases, one of the posts shall be for physical education.
- (2) In an Upper Primary or High School section, teaching of Arabic, Urdu or Sanskrit language in addition to the first language may be introduced if a minimum number of 10 pupils are willing to study that language in standard V or VIII as the case may be. The post of teacher in that language shall be allowed to continue in subsequent years if at least 10 pupils study the language in that standard or the average number of such pupils is not less than 7.
- (3) Admissibility of the posts of language teachers shall be on the basis of the number of periods prescribed in the syllabus and as specified below:-

<b>Number of periods per week</b>	<b>Post</b>
4 to 14	One part time
15 to 28	One full time
29 to 53	Two full time
54 to 78	Three full time

and so on

*Note:*

*Maximum workload of a full time language teacher in a week shall be 25 periods. However, no additional post shall be allowed for the periods over and above the maximum of 25 but below 29.*

- (4) There shall be a post of peon in every Upper Primary School.

6. **High Schools**

- (1) There shall be a post of headmaster in every High School. If the number of divisions in a High School is 75 or more, a post of additional headmaster in the same grade of headmaster may also be sanctioned.

- (2) If the sanctioned divisions in all the standards from I to X of the school are not less than 45 or more but below 75, the senior most High School teacher of such a school shall be designated as the deputy headmaster.

(3) ***High School teachers (subjects)***

The number of posts of High School teachers admissible for general science, mathematics and social science shall be equal to the number of sanctioned divisions for the High School section. Such teachers shall be distributed for the teaching of mathematics, physics, chemistry, botany, zoology, geography, history, economics and English (language and literature) as per the requirements in accordance with the curriculum and syllabus as determined by the director.

(4) ***High School teachers (language)***

- (a) **First language (Malayalam or Kannada or Tamil):** There shall be posts of High School teachers for the first language viz. Malayalam or Kannada or Tamil on the basis of the number of



periods available for such language in standards IX and X. Pupils who opt to study Arabic or Urdu or Sanskrit and exempted from studying the first paper of the first language shall not be reckoned for calculating the number of periods while sanctioning the posts for the first language.

- (b) **Hindi:** There shall be posts of High School teachers for Hindi on the basis of the number of periods available for Hindi in standards IX and X, subject to the restrictions in other rules in this chapter.
- (c) **Arabic or Sanskrit or Urdu:** There shall be posts of teachers in High Schools for Arabic, Sanskrit, Urdu and other optional languages based on the number of periods available for each such language in standards IX and X, subject to the restrictions in other rules in this chapter.
- (d) **Language teachers in High Schools:**
- (i) In a High School with Upper Primary section, the post of language teachers for Arabic, Sanskrit, Urdu and Hindi shall be sanctioned for each section for every 25 periods. The remaining periods shall be clubbed and a full time post sanctioned in a High School section. If the periods are less than 4 in the High School section, and four or above in the primary section a full time post shall be sanctioned in the primary section. If the periods clubbed are 29 or above, one full time post each in the primary section and High School section shall be sanctioned.

- (ii) If there are no sufficient periods to sanction an independent post in any of the sections, the total periods in both the sections shall be taken together and post(s) sanctioned as provided in sub-clause (d)(i) above, provided that the post shall be part time, if the number of periods are less than 15 but four or more. Provided further that no post is admissible if the periods available are less than 4 in each section.
  - (iii) The teachers who are appointed against the posts on clubbing of periods from both the sections shall teach both in primary and High School sections.
- (e) **Arabic teachers in Upper Primary Schools with Lower Primary section:** In Upper Primary schools with Lower Primary sections, the number of posts of Arabic teachers shall be fixed as per the provisions in sub-rule (d) above. In schools having Lower Primary, Upper Primary and High School sections, the post shall be sanctioned by counting periods for Arabic in Lower Primary and Upper Primary sections. High School section shall be treated as a single unit for this purpose.

(5) ***Special subject teachers***

In every High School there shall be a post of physical education teacher. Besides there shall be a post of sewing or work experience teacher or drawing or music teacher, if the divisions from standards V to X or VIII to X as the case may be, are more than 6, but below 20. If the number of divisions are 20 or above, the school shall be eligible for an additional post of drawing teacher or music teacher.

There shall be a second post of physical education teacher, if the number of divisions is above 30. In schools having Higher Secondary or Vocational Higher Secondary section, those divisions shall also be reckoned for sanctioning the posts of special subject teachers in the High School section. They shall also attend to the needs of the Higher Secondary and Vocational Higher Secondary sections.

(6) ***Clerk***

Every High School shall have at least one post of clerk. If the sanctioned divisions in all the standards up to X or XII are more than 50, a second post of clerk shall be sanctioned.

(7) ***Class IV employees***

(a) **Peon:** In every High School, there shall be a post of peon irrespective of the number of divisions. There shall be two posts of peons, if the number of sanctioned divisions including Higher Secondary exceeds 25.

(b) **Full time last grade employee other than peon:** For each 25 divisions there shall be one post of full time menial, subject to a maximum of three.

7. **Higher Secondary Schools or Vocational Higher Secondary Schools**

(1) Qualifications and methods of appointments pertaining to Higher Secondary and Vocational Higher Secondary teachers and non-teaching staff shall be governed by the respective special rules.

- (2) Notwithstanding anything contained in such special rules, they shall follow the general guidelines and instructions in respect of:-
    - (a) academic support from the State Council of Educational Research and Training;
    - (b) training by the District Institutes of Education and Training ; and
    - (c) overall administration and governance from the Director of School Education (DSE).
  - (3) The school shall be a single administrative unit, with the principal having administrative control on all matters relating to the functioning of that school. The post of principal shall be filled up by promotion from among headmasters who possess the required qualification of a Higher Secondary school teacher. In such schools, there may be a post of vice-principal, of the same rank of a High School headmaster, who shall be appointed by promotion from among qualified Higher Secondary school teachers having 12 years of service.
8. **Teachers' Training Institutes (TTIs)**
- (1) The staff pattern of Teachers' Training Institutes shall be as per the norms and guidelines issued by the National Council for Teacher Education (NCTE) and fixed by the Government from time to time.
  - (2) **Principal**  
The post of headmaster of the Teachers' Training Institute shall be designated as principal in the grade of the principal of a Higher Secondary School. The principal shall be common to the primary section and the Teachers' Training Institute.

(3) ***Other staff***

Over and above the staff pattern allowable, a Teachers' Training Institute is eligible for a post of attender and a part-time employee for cleaning purposes. The special subject teachers in the Teachers' Training Institute shall engage classes of their subject in the primary section of the attached school.

9. **Pre Primary Teachers' Training Institutes (PPTTIs)**

The staff pattern of the Pre Primary Teachers' Training Institutes shall be as per the norms and guidelines issued by the National Council for Teacher Education (NCTE) and as fixed by the Government from time to time. No PPTTI shall function without obtaining the approval of NCTE based on a 'no objection certificate' from the Government.

10. **Language Teachers' Training Institutes (LTTIs)**

The staff pattern of the Language Teachers' Training Institutes shall be as per the norms and guidelines issued by the National Council for Teacher Education (NCTE) and as fixed by the Government from time to time.

11. **Fixation of staff strength**

(1) ***Government schools***

Subject to availability of accommodation, fixation of staff strength in every Government school for standards up to XII shall be made by the education officer, based on the pupils' strength on the sixth working day of every year as reported by the head of schools. Such fixation shall have effect from the 15<sup>th</sup> of July of the year subject to subsequent verification.

Within a period of one month from the date of the order of staff fixation, the education officer shall make surprise visit to the schools to verify the pupils' strength, attendance and the accommodation available and review the order on staff fixation, if found necessary. This process shall be finalised and the staff fixation order confirmed or modified as the case may be, before the last day of August.

(2) *Aided schools*

- (a) Subject to availability of accommodation, staff strength in every aided school for the standards up to XII shall be fixed by the education officer every year, based on the effective strength, verified by him on surprise visit to the school. The actual attendance verified by the education officer on the day of such visit plus 5% of the roll strength on the sixth working day shall be reckoned as the effective strength for fixing the number of divisions and staff strength. The effective strength so calculated shall be limited to the roll strength. The staff strength sanctioned for a year shall generally be in force from 15<sup>th</sup> of July to 14<sup>th</sup> of July of the succeeding year.
- (b) If the strength verified by the education officer on surprise visit warrants the sanction of more divisions or posts than that existed in the previous year, he shall report the fact to his immediate superior officer for a further verification of the pupils' strength. In such cases fixation of staff strength shall be based on the pupils' strength verified by the superior officer.

- (c) The education officer shall issue orders fixing the staff strength on the spot on the same day of his visit based on the effective strength reckoned by him subject to the condition that the orders are liable to be revised on the basis of the pupil strength verified by the superior officer, within a period of one month. The staff fixation order issued by the education officer on the spot shall be valid, unless it is revised as per rules by a competent authority. The education officer may postpone the verification for good and sufficient reasons and shall record the reason for such decision. The reason for such postponement shall be incorporated in the staff fixation orders.
- (d) The education officer shall complete the process of on the spot verification and issue of fixation orders, in all the schools within his jurisdiction positively before 15<sup>th</sup> of July. However, he may visit schools where the visit was postponed, before 31<sup>st</sup> of July. Any visit for the purpose of fixation of staff strength shall be made by the education officer after 31<sup>st</sup> of July only with the prior permission of the director.
- (e) In exceptional circumstances where the Government are convinced on documentary evidence that the visit of the education officer or the higher authority was undertaken without due regard to the adverse circumstances which prevented a substantial number of pupils on the rolls from attending the school on that day, Government may direct the officer who conducted the visit to have a revisit to verify the strength. However, such a revisit shall not

lead to creation of any additional division / posts. A revisit under the provision shall ordinarily be allowed only once a year.

**12. Scrutiny of staff fixation by higher officers**

- (1) All orders passed by the education officer in regard to fixation of staff strength shall be scrutinised by the immediate higher authority. No order revising the fixation of staff strength shall be passed without giving an opportunity to the persons likely to be affected by the revision order, to represent their case. Orders revising the fixation of staff strength on scrutiny shall have force and effect from 15<sup>th</sup> of July. No such order shall be issued after the last working day of August, without the permission from the director who may call for explanation for delay.
- (2) While scrutinising the staff fixation order, the education officer shall ensure that no division or post admissible as per the rules has been denied and no avoidable division or post has been sanctioned.
- (3) This rule shall *mutatis mutandis* apply to Government schools.

**13. Appeal against staff fixation orders**

- (1) The manager and/or the employee who is aggrieved by the orders of staff fixation shall have the right of appeal to the deputy director or the director as the case may be, within 15 days from the date of issue of the order.
- (2) The appeal against the order on scrutiny shall lie with the director.
- (3) In both cases, appeal shall be preferred within 15 days from the date of receipt of the order. The appellate authority may entertain the appeal



after the expiry of the said period but within 2 months, for good and sufficient reasons, which shall be duly recorded.

- (4) Decision on appeal shall be on the basis of the scrutiny of relevant records and not merely on the report of the subordinate officers. The appellate decision shall not be delayed by more than two months from the date of receipt of the appeal.

14. **Revisionary power of the director**

- (1) The director may on his own motion or otherwise, after calling for the records of the case, revise the order passed by the deputy director. No request for revision under this rule shall be entertained after one month of the date of issue of the order by the deputy director. No order on revision of staff fixation shall be issued by the director without giving opportunity to the parties likely to be affected, to be heard.

15. **Super check**

- (1) The Government shall, for the purpose of checking the staff fixation proceedings issued by the education officers, authorise an officer to conduct a super check. In the course of the said enquiry, the authorised officer is competent to inspect the schools, verify the strength, check the area of classrooms, call for the records from the headmasters, managers and the education officers, and make such enquiries as may be necessary and submit a report to the director.
- (2) On the basis of the report of the super check officer, the director may revise the staff fixation order, after affording an opportunity to the affected parties of being heard. The director may authorise an officer not below the rank of a joint director to conduct such hearing. All

proceedings relating to the staff fixation shall be completed before 31<sup>st</sup> of December.

16. **Appellate / Revisionary power of Government**

Government shall have appellate or revisionary powers as the case may be, on the staff fixation orders issued under these rules.

## **Chapter XV**

### **INSTITUTES FOR TEACHERS' TRAINING**

1. **Institutes for teachers' training**

- (1) There shall be separate institutions for pre-service and in-service training of teachers for the pre primary, primary and secondary levels of education. Besides, there may be separate training institutions to impart pre-service and in-service training in languages or any other subjects.
- (2) The institutions for teachers' training shall endeavour to impart relevant training to equip trainees with the knowledge and skills required of a good teacher. Pre-service Teachers' Training Institutions shall comply with the standard and norms set by the National Council for Teacher Education (NCTE) and shall duly obtain its recognition.
- (3) Government shall constitute a State Advisory and Co-ordination Committee for Teachers' Education (SACCTE), to advise the Government and the universities on the academic issues relating to pre-service training of teachers as well as to ensure proper co-ordination and harmonisation of perceptions, policies and approaches between the general education department, NCTE and the teacher training programmes. The minister for education shall be its chairman and the secretary, general education department its convenor. The membership,

powers and the details of functioning may be as prescribed by the Government.

2. **Teachers' Training Institutes (TTIs)**

- (1) Teachers' Training Institutes shall train the candidates to be teachers in the Lower Primary stage (I to V) of education. It shall be an independent institution to which a Primary school shall be linked and shall be under the charge of a principal in the rank of High School headmaster who shall also be the headmaster of the attached Primary school. There shall be a Teachers' Training Institute attached to each District Institute of Education and Training (DIET) whose principal shall also be the principal of the Teachers' Training Institute.
- (2) Teachers' training course shall be of two years duration with 220 instructional days excluding the dates of examination in each year. The curriculum and syllabus of training shall be laid down by the State Council of Educational Research and Training from time to time, approved by the state curriculum committee and duly approved and notified by the Government. The State Council of Educational Research and Training shall ensure timely and suitable changes and improvements in the curriculum and the scheme of study as warranted by the school curriculum.
- (3) The Director of School Education (DSE) shall invite applications for admission to the Teachers' Training Institutes in the state, stipulating the qualifications, the time schedule and the mode of admission.
- (4) Fifty percentage of seats in aided Teachers' Training Institutes belonging to the minority communities may be filled up from among the students

belonging to the minority community concerned on the basis of *inter-se* merit and the remaining fifty percent of the seats shall be filled up on the basis of general merit. Selection and admission shall be made by the manager.

- (5) Selection to all the seats in Government TTIs and to such seats in aided TTIs as may be specified by the Government shall be made by a selection committee at the district level consisting of:-
- (a) the deputy director of education – Chairperson;
  - (b) the principal of the DIET – convenor; and
  - (c) the principal of one of the TTIs, nominated by the deputy director of education – member.

Selection shall be made on the basis of norms fixed by the Government. The rules relating to reservation of candidates belonging to scheduled caste and scheduled tribes and other backward classes in appointments in Government service shall be followed by the committee in the selection of candidates for admission.

- (6) The director shall invite application by issuing a notification stipulating the qualification, time schedule for admission and other details. Applications for selection by the selection committee shall be received by the deputy director of education.
- (7) Unless otherwise specified by the NCTE, the minimum qualification for selection to teachers' training course shall be a pass in:-
- (a) the pre-degree examination conducted by any of the Universities in Kerala; or

- (b) any public examination conducted after the courses of Higher Secondary or Vocational Higher Secondary stages of education; or
  - (c) any examination treated as equivalent thereto
- (8) The maximum age for selection is 35 as on the 1<sup>st</sup> of January of the year of admission. Normal relaxation in age shall be allowed to the candidates belonging to scheduled caste or scheduled tribe and other backward communities eligible for such relaxation.
- (9) Government may introduce an entrance test to ascertain the eligibility and aptitude of the candidates for the Teachers' Training Certificate (TTC) course.
3. **Pre Primary Teachers' Training Institute (PPTTI)**
- (1) Pre Primary Teachers' Training Institutes shall be separate units with pre primary section or pre primary and primary sections together for providing quality teaching practices to the teacher trainees in the early childhood stage of education. They shall conform to the norms and standards laid down by the National Council for Teacher Education and shall obtain its recognition.
- (2) The course shall be of one year duration with 220 instructional days excluding the days of examination. The curriculum and syllabus for training shall be laid down by the State Council of Educational Research and Training from time to time, approved by the state curriculum committee and approved and notified by the Government.
- (3) Government may regulate the establishment and functioning of the Pre Primary Teachers' Training Institutes as may be necessary.

- (4) The minimum qualification for selection as pre-primary teachers' trainee in the open quota shall be a pass in higher secondary examination or any examination treated as equivalent with at least 50% marks.
- (5) In the selection of candidates, 20 percent allowance on marks shall be given for proven ability in art and other extra curricular activities. It shall be open to the Government to introduce any eligibility or aptitude test for the selection of candidates.

4. **Language Teachers' Training Institute (LTTI)**

- (1) There shall be institutes to provide training courses in Hindi, Malayalam, Tamil, Kannada, Arabic, Urdu and Sanskrit to the persons who are the title holders in the concerned language, to equip them as language teachers in primary and secondary stages of education. The curriculum and syllabus for training shall be laid down by the State Council of Educational Research and Training from time to time, which shall be approved by the state curriculum committee and approved and notified by the Government.
- (2) In any language, if the number of applicants for selection to the course in open quota exceeds five times the number of seats available, selection shall be made through an entrance examination after observing the reservation principles applicable for appointments in Government service. The director shall be responsible to conduct such entrance examination.
- (3) Twenty percent of the seats for this training course shall be reserved for the teachers in service, in aided and Government schools.

- (4) Duration of the course shall be one year with 220 instructional days excluding the days of examination.
5. **Government to ensure compliance of NCTE norms**
- (1) Government shall ensure that all the pre-service Teachers' Training Institutions in the state obtain the recognition of NCTE and conform to these norms and guidelines. It shall be the duty of the Government to provide in Government institutions such facilities as are stipulated and to ensure their availability in private institutions.
  - (2) Government may issue a 'no objection certificate' to a new pre-service training institution only after satisfying the availability of the facilities stipulated by NCTE.
  - (3) The education officers shall inspect the TTIs and Language Teachers' Training Institutes within their jurisdiction at least once a year and bring to the notice of the director any deviation from the norms and guidelines.



## Chapter XVI

### ROLE OF ORGANISATIONS AND BODIES

#### I STATE ADVISORY BOARD OF EDUCATION (SABE)

There shall be a State Advisory Board of Education (SABE) with the following constitution and functions.

##### 1. Constitution

- (1) The State Advisory Board of Education (SABE) shall ordinarily consist of 25 members including Chairman.
- (2) The minister for education shall be the chairman of the SABE. The secretary to Government, general education department, shall function as the member secretary.
- (3) The constitution of the SABE shall be as follows:-

Minister, in charge of education	Chairman
Secretary, general education	Member secretary
Director of School Education	Member
Director of Higher Secondary Education	Member
Director of Vocational Higher Secondary Education	Member
Director of Collegiate Education	Member

One Vice Chancellor from any of the universities in Kerala	Member
Director, State Council of Educational Research and Training	Member
Three representatives of the teachers' organisations nominated by the Government	Members
One representative of NCERT	Member
One representative of CBSE	Member
One representative from the National Council for Teacher Education	Member
Four persons who have made acclaimed contribution in the field of education. Two of them shall be women	Members
One president of the district panchayat to be nominated by Government	Member
One expert each from the area of specialist education, inclusive education and educational technology.	Member
Three representatives of managers of recognised schools.	Member

- (4) The Government may fill the remaining vacancies by nominating any non-official or official as a member on a regular basis or for a specific period or purpose.
- (5) The term of office of the members shall ordinarily be five years, and the term of the ex-officio members shall continue till they hold their respective offices. Government may reconstitute the board before the expiry of the term, if felt necessary.

2. **Quorum and transaction of business**

- (1) The quorum for the meeting of the SABE shall be 10 and the member-secretary in consultation with the chairman shall convene the board meeting.
- (2) In the absence of the chairman, the members present shall elect one among them to preside over the meeting.
- (3) A member other than an ex-officio member who does not attend 3 consecutive meetings without leave of absence shall cease to be a member. A member nominated by Government in such a vacancy may hold office for the remaining period or for such period as may be specified by the Government.
- (4) The member secretary shall send notice of every meeting to the members 15 days prior to the date of meeting.
- (5) The SABE may constitute sub-committees or expert groups as may be necessary and may nominate experts on such sub-committees.

3. **Duties and functions**

It shall be incumbent on Government to consult or seek the advice of the SABE, before taking any major policy decision in the area of school education. The duties and functions of the board shall be:

- (a) to provide a cohesive policy framework for various educational initiatives and programmes of the Government;
- (b) to critically evaluate the existing curriculum, institutions and programmes and to suggest corrections, improvements and modifications;

- (c) to advise the Government on the need for new programmes or interventions to correct imbalances or distortions, if any;
- (d) to set parameters and strategies for educational quality and attainments;
- (e) to advise the Government on matters relating to educational management; and
- (f) to undertake any study by itself or by engaging competent person or persons or agencies on critical areas of education and cause to publish such papers.

## II **PARENT TEACHER ASSOCIATION (PTA)**

### 1. **Parent Teacher Association**

- (1) Every school shall have a Parent Teacher Association consisting of the teachers and the parents of the pupils studying in the school.

The functions of the Parent Teacher Association shall be:

- (a) to create an active interest among parents in the affairs of the school and involve them in the academic betterment of the school;
- (b) to provide a common forum for the parents and teachers to discuss the needs of the school and formulate suitable programmes; and
- (c) to function in such a way as to promote the co-operation and goodwill among parents and teachers.

- (2) It shall primarily be a forum where the parents and teachers share their ideas and concerns and evolve strategies for the overall development of the school and enhancement of educational attainments of the students.
- (3) There shall be a general body consisting of all the parents and teachers and an executive committee of the PTA consisting of not more than 15 members elected by the general body. The general body shall meet at least twice a year and the executive committee shall meet as frequently as may be needed. The number of parents on the executive committee shall out-number the teachers. One-third of the members of the executive committee shall be women. One of the parents shall be elected by the general body as its president.
- (4) The headmaster of the school shall be the convenor and the treasurer of the PTA.
- (5) Within one month from the reopening of the school, the headmaster shall convene a meeting of all the parents and teachers and cause the constitution of an executive committee, consisting of the president, vice president and the secretary of the association.
- (6) The term of office of the committee shall be one school year.
- (7) The strength of the executive committee shall not be less than 10, but not more than 15.
- (8) The number of representatives of parents in the executive committee will be more than that of the number of representatives of teachers.
- (9) The senior most teacher and the Secretary of the staff council of the school shall be members of the executive committee.

- (10) The DSE shall issue a set of model bylaws on the basis of which the school Parent Teacher Association shall prepare their bylaws.
- (11) The PTA shall be common for all stages in a school with representation to the parents of pupils belonging to all the stages.
- (12) The association shall also undertake the specific tasks entrusted with it by the Government or the department from time to time.

2. **Funds**

- (1) Parent Teacher Association in each school may generate and operate funds for meeting its needs in connection with its functioning and for the purposes pursuant to its programmes.
- (2) The accounts of the Parent Teacher Association shall be audited every year by a chartered accountant or a person or a body of persons authorised by the executive committee.

III **SCHOOL CLUSTERS**

1. **Constitution**

- (1) There shall be school clusters at sub district levels of which the education officer concerned shall be the convenor and the headmasters of the schools in the area, their members.
- (2) The meetings of the school clusters shall be convened once in a month. Any teacher may be invited to the meeting.

2. **Objectives**

The objective of school clusters is to provide institutionalised monitoring and academic support as well as to inculcate a sense of fraternity among the teaching community as a whole and facilitate interaction among them. The school clusters shall be used for the overall enrichment and capacity building of the teachers by the sharing of experiences. They shall provide a forum for updating knowledge and improving teaching skills by organising suitable programmes.

IV **STAFF COUNCIL**

1. **Constitution and functions**

- (1) There shall be a staff council in every school, constituted by the headmaster who shall be its convenor. The senior members among the teaching staff and a representative of the non-teaching staff shall be its members. The staff council shall be constituted within one month after the re-opening of the school.
- (2) The staff council may be convened by the headmaster as often as required. It shall necessarily meet once in three months for the transaction of the routine business of the school.
- (3) The staff council shall consider and advise the headmaster on all matters concerning the general administration of the school and in the implementation of the programmes initiated by the PTA or entrusted by the department or the LSGIs. The council shall assist the headmaster in the maintenance of general discipline and decorum in the school. The

decision of the staff council shall, as far as possible, be by consensus of opinion.

**V STATE COUNCIL OF EDUCATIONAL RESEARCH AND TRAINING (SCERT)**

**1. Role and functions**

- (1) The State Council of Educational Research and Training shall have the functions and duties enumerated in the memorandum of association and those enumerated in the Act. It shall function as a resource centre for academic support in the area of school education in the state. It shall be the duty of the SCERT to constantly monitor the educational standards of the state and endeavour to achieve the objectives of the national policy on education and devise a curriculum which harmonises the national ideals and the state level realities.
- (2) The council shall provide academic leadership and training support to the DIETs and shall co-ordinate their activities.
- (3) The council shall, on a continuous basis, undertake retraining and in-service training of teacher educators at the District Institutes of Education and Training (DIETs) and Teachers' Training Institutes (TTIs) with a view to updating their knowledge, skills and competencies.
- (4) It shall be the responsibility of the council to function as a facilitating agency to upgrade the standards of the Teachers' Training Institutes in the state in accordance with the norms laid down by the National Council for Teacher Education from time to time.



- (5) The council shall be primarily responsible for the preparation, correction, revision and evaluation of curriculum and syllabus in the entire spectrum of school education. It shall be ensured that the curriculum and syllabus so prescribed are compatible with the national standards and consistent with the policy of the state Government and are consistent with the advice of the state curriculum committee.
- (6) The council shall undertake or cause to undertake studies on relevant academic matters and utilise the findings suitably.
- (7) The council shall evolve suitable educational management strategies and models and shall endeavor to constantly improve the management style of the schools and department.
- (8) The council shall, by suitable institutional arrangements, respond dynamically to the opportunities provided by information technology and make it a tool for effective and interactive transaction of the curriculum and better management, monitoring and continuous updating of knowledge and skills of teachers and students.
- (9) Government may entrust with the council any other responsibility with the overall objective of the improvement and enrichment of education in the state.
- (10) The State Council of Educational Research and Training shall keep constant vigil over the quality of education and devise suitable strategies for keeping aloft the standard of education in the state.
- (11) The council shall follow a programme of training formulated and got approved well in advance. The inputs of each programme, both financial and physical, shall be quantified and the outputs evaluated properly.

- (12) The council shall specially endeavour to make innovations in the curriculum and teaching techniques with regard to children with disabilities so as to enable them to attain the required levels of learning.

2. **Curriculum and syllabus**

- (1) The SCERT shall be responsible for the preparation and finalisation of curriculum and syllabus for all standards in all stages of school education including Pre primary, Primary, Secondary, Higher Secondary and Vocational Higher Secondary stages.
- (2) Whenever the need for revision of curriculum and syllabus for any or all the stages is felt, the council shall arrange for such revision by engaging the services of experts.
- (3) The curriculum and syllabus shall be duly got approved by the state curriculum committee. Thereafter the director shall submit the curriculum and syllabus to Government for approval and notification.
- (4) The textbooks, teachers' manuals and other accessories shall be prepared and finalised by the SCERT.
- (5) The council shall function within the overall policy framework laid down by the Government and the State Advisory Board of Education and such other bodies in specialised areas. All sensitive and significant matters relating to curriculum shall be finalised only in consultation with the Government.

**VI DISTRICT INSTITUTES OF EDUCATION AND TRAINING (DIETs)**

**1. Constitution and functions**

- (1) The constitution and functions of the DIETs shall be as per the central scheme of DIETs with regard to primary education. However, they may be empowered and equipped to function as a resource centre in the district for all stages of school education.
- (2) The DIET shall perform such functions and duties under the supervision and general control of the State Council of Educational Research and Training.
- (3) The DIET shall work in close association with the educational initiatives of Local Self Government Institutions and provide academic support for their educational activities.
- (4) The DIETs may be associated with the academic activities at the Higher Secondary stage including Vocational Higher Secondary.
- (5) The DIETs shall provide academic support to the teachers in the district and undertake the monitoring of the various quality enhancement activities.
- (6) Government shall continuously endeavour to enhance the capability and resources of the District Institutes of Education and Training and make them vibrant institutions for undertaking training, evaluation and action research in academic matters at the district level.

**VII BOARD OF PUBLIC EXAMINATIONS**

There shall be a Board of Public Examinations (BPE), which shall be solely responsible to conduct those public examinations stipulated by the Government from time to time and to issue the qualifying certificates.

The Director of School Education shall be the Commissioner of Government Examinations (CGE).

There shall be a full time secretary to the commissioner who shall be responsible for executing the various tasks connected with the conduct of such examinations.

Government may issue detailed instructions for the proper conduct of the examinations and related matters.

Government may constitute separate boards for conducting any other examination or may entrust the Board of Public Examinations with the conduct of any public examination. Government may nominate a chairman to the board.

## **Chapter XVII**

### **EDUCATION OF CHILDREN WITH DISABILITIES**

#### **1. Education of children with disabilities**

- (1) There shall be a determined effort to encourage special as well as inclusive education of children with disabilities. Government shall endeavour to provide integrated or inclusive education to all children with mild and moderate disabilities to bring them to the mainstream of general education.
- (2) There shall be special schools with hostels for the education and rehabilitation of children with severe disabilities.
- (3) The overall objective of special education and inclusive education shall be to achieve the optimal development of children with disabilities and make them socially useful citizens. Government may from time to time formulate suitable incentives to encourage such children to avail the benefits of education.

#### **2. Identification of disability**

- (1) The term 'disability' shall have the same meaning assigned to it in the 'Persons with Disabilities' (equal opportunities, protection of rights and full participation) Act, 1995 (Central Act 1 of 1996), and shall include learning disability, cerebral palsy, emotional and/or behavioural disorder

and such other physical or mental illness or aberrations which render the child unable to maintain a normal or optimal level of physical, sensory, intellectual, psychological or social functioning.

- (2) A certificate issued by a competent authority as provided in the Central Act 1 of 1996 shall be the conclusive proof with regard to the disability of a child. The head of the institution may insist on such a certificate only when the disability or the degree of such disability is in doubt and cannot be readily judged.

3. **Schemes for inclusive education**

Children with moderate disabilities should be encouraged to join normal schools. However the curriculum, method of teaching and evaluation system should be suitably redesigned. Special training programmes for teachers shall be undertaken by the department on a continuing basis, along with a regular supply of suitable accessories and equipment.

4. **Schemes for special education**

- (1) The Government shall in consultation with State Council of Educational Research and Training, formulate schemes for inclusive and special education, which shall, among other things, provide for:-
- (a) preparation of curriculum and syllabus;
  - (b) facilities in normal schools for inclusive education;
  - (c) establishment and recognition of special schools, Government and recognised, both aided and unaided;
  - (d) in-service and pre-service training of teachers for special education;

- (e) vocational training to disabled children;
- (f) facilities for residential schools and rehabilitation of disabled children, particularly those who are mentally retarded;
- (g) awareness programme among the people of different strata of society on issues related to disabled children and their education, rehabilitation and empowerment;
- (h) setting up institutes for training special educators; and
- (i) the application of information technology for improved education of the disabled children.

5. **Curriculum and syllabus of special education**

- (1) Government shall constantly update the curriculum and syllabus for children with disabilities both in the general schools and the special schools with a view to optimising their talents and skills. The curriculum as well as the evaluation system shall be adapted to suit the needs and capabilities of such children.
- (2) Government shall set up a state level resource group for the education of the disabled, which shall formulate guidelines for special and inclusive education and advise the SCERT and the Government in this matter.
- (3) The resource group shall advise the Government on the steps to be taken to utilise the benefits of modern technology for imparting meaningful education to such children and their rehabilitation.
- (4) Schools for special education shall be set up or recognised where the education of children with severe disabilities in the following categories have to be addressed:-

- (a) Acutely hearing impaired children
- (b) Total or near total visual impairment
- (c) Mental retardation
- (d) Physical disability seriously affecting mobility and
- (e) Acute learning disabilities.

6. **Recognition of schools**

Government shall issue guidelines and norms for granting recognition to special schools. The guidelines may insist on special architectural features suitable for each category of disability. It shall be competent for the Government to fix the norms of minimum strength of a division, the qualification of teachers and such other stipulations in the case of special schools.

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