



Tonga

EDUCATION (SCHOOLS AND GENERAL PROVISIONS) REGULATIONS 2002

GS 14 of 2002



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EDUCATION ACT (CAP. 86)

IN EXERCISE of the powers conferred on him by section 59 of the Education Act (Cap. 86) the Minister of Education with the consent of Privy Council makes the following Regulations:

PART 1 - PRELIMINARY

1 Short Title

These Regulations may be cited as the Education (Schools and General Provisions) Regulations 2002.

2 Interpretation

In these Regulations unless the context otherwise requires —

“**Act**” means the Education Act (Cap. 86);

“**Advisory Council**” means the Council established under the provision of Part III of the Act;

“**appointment**” means allocation to a position and includes demotion and promotion;

“**authorised officer**” means a public officer authorised for the purpose by the Minister;

“**buildings**” means all buildings used by a school (whether situated on school land or elsewhere);

“**compulsory school age**” means any age between 6 years and 13 years and accordingly every person shall be deemed to be of compulsory school age if he has attained the age of 6 years and has not attained the age of 14 years;

“**conflict resolution**” means a structured discussion between individuals working with the aim of achieving an agreed resolution to a problem;

“**counselling**” means the use of appropriate mediation to solve a dispute or problem;

“**Director**” means the person appointed in accordance with the provisions of section 8 of the Act and for the time being performing the duties and functions of the office of Director;

“**educational delivery**” means the way in which education is provided to students;

“**exclude**” means to prohibit from attending any number of or all schools under regulation 43;

“**expel**” means to prohibit from attending any number of or all schools under regulation 44;

“**government school**” means a school which is:

- (a) established under section 17 of the Act; and
- (b) maintained out of public funds and controlled by the Minister;

“**Managing Authority**” means any person or body of persons registered by the Minister in accordance with the provisions of section 21 of the Act as a controlling authority to be generally responsible for schools under their control; and for the purposes of the provisions of the Act relating to applications for the establishment of schools and registration or recognition of schools, includes any person or body of persons proposing to be a controlling authority so responsible;

“**Minister**” means the minister appointed in accordance with section 3(1) of the Act;

“**Ministry**” means the Ministry of Education, Tonga, established in accordance with section 7 of the Act;

“**non-government school**” is any school other than a government school established in accordance with the provisions of the Act;

“**parent**” in relation to any pupil includes a guardian and every person who has the actual custody of the pupil;

“**pre-school programme**” means education appropriate to the needs of students from age three to age five;

“**post compulsory**” means education offered following 13 years of age;

“**primary education**” means education offered in school years one to six both inclusive;

“**principal teacher**” means —

- (a) in the case of a government school the authorised officer or person or committee of persons appointed in accordance with section 19 of the Act;
- (b) in the case of any other school the person or committee of persons registered by the Minister under the provisions of section 25 of the Act;

“**pupil**” means any person of any age for whom education is provided under the provision of this Act and any person enrolled on the register of any school;

“**registered school**” means a non-government school granted a certificate of registration under the provisions of the Act;

“**regular instruction**” means instruction provided for ten hours or more during each school week;

“**scholarship**” means receiving free education through any means or at a reduced cost and shall include assistance by means of foundation, fellowship, grant, award, short term course, placement, training programme, bursary or prize;

“**school**” means any institution in which not less than 5 pupils receive regular instruction by way of personal tuition or any assembly of not less than 5 pupils for the purpose of receiving from a teacher any such regular instructions or/and any institution or place from which a regular instruction emanates or is imparted to pupil or students by means of correspondence, but shall not include:

- (a) any institution or assembly in which the instruction is, in the opinion of the Minister, wholly or mainly of a religious character; or
- (b) any institution owned and maintained by a religious society for the purpose of training persons:

- (i) for the ordained ministry;
- (ii) for admission to a religious order under the direction of or associated with such religious society;

Provided that any class division or section of any such institution or assembly, in which instruction is, in the opinion of the Minister, wholly or mainly devoted to secular subjects shall be deemed to be a school; or

- (c) any institution or assembly the principle purpose of which is to impart instruction in games or sport; or
- (d) any institution or assembly which may be wholly or partially exempted from the provisions of the Act by the Minister;

“**secondary education**” means education offered in school years seven to thirteen, both inclusive;

“**special needs programme**” means an educational programme and services appropriate to the needs of students with particular physical or intellectual needs;

“**student**” means the same as “**pupil**”;

“**suspend**” means to prohibit from attending a school for a specified time as determined under regulation 42;

“**time out**” means the placing of a student in a designated educationally appropriate area so that the student is removed for a specified time from a situation relating to a school problem;

“**walking distance**” means 2 miles measured by the nearest available route.

PART 2 - SCHOOL MANAGEMENT

3 Size of Schools

- (1) Schools shall be classified on 31 March in each year in accordance with the following student enrolment numbers:

Enrolment

Size I	500 or more
Size II	270–499
Size III	160–269
Size IV	90–159
Size V	5– 89

- (2) The Minister may classify a school into a higher size where the Minister considers that the school is likely to:
 - (a) reach the numbers for such classification within that school year; or
 - (b) be disadvantaged by the transfer of a teacher during the school year.

4 Establishment of a School

- (1) The Minister shall consider existing educational facilities when deciding to:
 - (a) establish any new school; or
 - (b) make any significant amendment which is deemed to include —
 - (i) an extension of a school's present educational provision to encompass pre-school, primary, secondary, distance vocation and training, distance or special education;
 - (ii) a relocation of the school. Relocations may include the establishment of an additional campus for students not already taught at the school, as well as the change in location of all or some of the students already taught at the school;
 - (iii) an amalgamation with another school or schools;
 - (iv) the separation of the school into two or more schools;
 - (v) re-establishment of a previously closed school; or
 - (vi) a change of school name, change from single sex to co-educational or changes in school governance or authority.
- (2) The Ministry or a non-government organisation wishing to establish a school shall apply in writing to the Minister on Form A no later than 12 months prior to the anticipated date of commencement.
- (3) The process for the establishment of a school shall be as set out in Schedule A.
- (4) The Minister shall not establish a new school or approve an application to establish a new school until he is satisfied proper arrangements have been made to register the title to or lease of the property under the Land Act.

5 Registration of a School

- (1) The principal teacher of any school that has not been registered by the Minister under section 57 of the Act shall apply to be registered on Form B.

- (2) It shall be the responsibility of the principal teacher to ensure that the school complies with the requirements of this regulation before applying for registration.
- (3) School registration processes shall:
 - (a) ensure educational standards and appropriate facilities and resources are provided before the initial registration of a school;
 - (b) outline educational curricula;
 - (c) recognise the diversity and independence of the non-government sector;
 - (d) allow for periodic review of the school to ensure educational standards are maintained; and
 - (e) provide that the team to review non-government Managing Authority schools shall be made up of personnel from the Ministry, the school itself and its Managing Authority.

6 Closure of a School

An inspector in recommending closure of a school under section 32 of the Act shall use Form C.

7 Change in Managing Authority for a School

The memorandum of agreement where Government of Tonga takes over management of a non-government school shall be on Form D.

8 Extension of Educational Levels or Additional Educational Delivery

- (1) Application by schools for permission to extend additional educational levels or additional educational delivery shall be on Form E.
- (2) Any extensions granted to an educational delivery shall be reviewed by an authorised officer of the Ministry or by a non-government Managing Authority in collaboration with the Ministry at the end of the second year of operation to ascertain the educational benefits to students and the economic effectiveness of this extension.

9 Management of a School

- (1) The principal teacher shall be responsible for the general management of that school pursuant to section 19 and 25 of the Act.

- (2) Staff in a school shall carry out responsibilities which will provide students with the best possible learning environment as stipulated by the principal teacher.

10 Assessment and Evaluation of Schools

- (1) An authorised officer of the Ministry shall visit every school pursuant to section 31 of the Act at least once a year. Two weeks notice shall be given to the principal teacher of each school. After each visit a report shall be filed with the Director.
- (2) The authorised officer shall assess each school on:
 - (a) the method and quality of teaching and learning;
 - (b) the performance of each teacher using Form F;
 - (c) the suitability of time-tables;
 - (d) tone, order and discipline of the school;
 - (e) enrolment, attendance and staff registers;
 - (f) attendance of staff and students;
 - (g) the condition and adequacy of school buildings and teacher housing on Form G;
 - (h) the condition and adequacy of school resources and equipment;
 - (i) the professional development support provided by the principal teacher, senior staff and heads of departments; and
 - (j) any other matters relating to the efficiency of the school.
- (3) A copy of the authorised officer's report shall be forwarded to the principal teacher of that school within 3 weeks of this visit.
- (4) An authorised officer of the Ministry may at any time other than the annual visit forward to the Director a report concerning any matter that may affect the efficiency of a government school, and a copy of this report shall be forwarded at the same time to the principal teacher of the school involved.

11 School Routine

- (1) The principal teacher of a school shall be responsible for planning a school day routine for students which shall include:
 - (a)
 - (i) instruction hours from Monday to Friday as provided in sub-regulation (1)(b);

- (ii) holidays as provided in sub-regulation (3); and
- (b)
 - (i) a school day that continues for a minimum of 5 hours duration of teacher student contact time;
 - (ii) a school day shall comprise lessons appropriate to the age and ability of the students with intermissions necessary for the age level; and
 - (iii) teachers shall report to school at least 30 minutes prior to the commencement of each school day.
- (2) Schools shall operate not less than 200 days during a school year except for schools in outer islands which shall operate 7 days less to cover travelling time for teachers.
- (3) The following holidays shall be observed in all schools:
 - (a) all public holidays;
 - (b) term breaks as determined by the Minister or the non-government Managing Authority; and
 - (c) 6 weeks holiday beginning on the second Monday in December unless otherwise directed by the Minister or non-government Managing Authority.

12 Variation to School Routine

- (1) The principal teacher may vary school routine by undertaking school activities outside the 200 days allocated in regulation 11(2). Variations to the school routine shall be based on definite educational outcomes that complement current school educational programmes. Schools may utilise non-school hours for school related activities.
- (2) Field trips shall be based on definite educational outcomes and are part of the educational programme.
- (3) On all field trips and approved variations to school routines there shall be a teacher or assistant for every 10 students.
- (4) The principal teacher shall keep a register of field trips and approved variations to school routines which shall contain the following:
 - (a) times, dates, venues and itinerary;
 - (b) educational aims and follow up activities;
 - (c) number and educational levels of participating students;
 - (d) names of supervising teachers and other assistants;
 - (e) transport, accommodation, meal and first aid arrangements;

- (f) arrangements for students not participating; and
 - (g) costs per student.
- (5) Parents and students shall be given 7 days written notice of variations to school routine or field trips to be undertaken.
 - (6) No pupil shall be permitted to participate in a field trip or variations to school routine unless a parent has consented on Form H.
 - (7) Students who do not have written permission to attend a field trip or school activity out of the school grounds shall be supervised at school for that school day.

13 Extra Curricular Activities

- (1) Non-school activities undertaken outside the stated hours of a school day shall be considered external to the school routine and responsibility.
- (2) The principal teacher may approve organisations or groups conducting religious instruction and or community related activities, to work with students and to utilise school facilities in accordance with regulation 60.
- (3) The organisation or group taking responsibility for the activity shall obtain prior approval of parents for students to participate in non school extra curricular activities.

14 Visitors to Schools

Visitors shall not without the express permission of the principal teacher speak or take part or interrupt the business or work of the school.

15 Records, Registers, Reports and Documents

- (1)
 - (a) The principal teacher of every school shall keep the following laws, records, registers, reports and documents:
 - (i) syllabi and curricula documents for each educational level;
 - (ii) staff professional development plan;
 - (iii) code of behaviour and dress for staff and students;
 - (iv) school inspection reports;
 - (v) staff register and school organisation statement;
 - (vi) enrolment register;
 - (vii) student attendance;

- (viii) copy of notices to parents on non attendance;
 - (ix) certificates of student transfers;
 - (x) student records including health records;
 - (xi) register of medical and dental reports;
 - (xii) student discipline register;
 - (xiii) teacher attendance registers;
 - (xiv) teacher discipline register;
 - (xv) register of variations to school routine;
 - (xvi) register of field trips;
 - (xvii) accident register;
 - (xviii) safety and emergency procedures;
 - (xix) reports of hazardous circumstances;
 - (xx) notifiable diseases register;
 - (xxi) register of school furniture and equipment, resources and livestock;
 - (xxii) account books;
 - (xxiii) administrative instructions;
 - (xxiv) religious instruction register;
 - (xxv) fono notices applicable to the school;
 - (xxvi) record of parent visits and interviews;
 - (xxvii) a copy of the Education Act and Regulations made thereunder;
 - (xxviii) copyright register;
 - (xxix) computer software register;
 - (xxx) official letters, reports and necessary duplicates of returns and reports of inspections; and
 - (xxxi) parent permissions for medical, dental examinations.
- (b) The records, registers, reports and documents shall be kept pursuant to sub-regulation (1)(a) for a minimum period of 5 years.
- (2) Teachers in schools shall keep records up-to-date relative to:
- (i) work plans; and
 - (ii) formative and summative evaluations for each student.
- (3) The principal teacher of a government school shall prepare the following reports:
- (a) student enrolment return on Form I by March 31 and September 30;

- (b) updated teacher history sheets on Form J by March 31;
 - (c) non-teaching staff details by March 31;
 - (d) audit report on Form K by September 30;
 - (e) public use of government school premises and property by September 30; and
 - (f) annual return on Form L.
- (4) The principal teacher shall notify the Director and in the case of a non-government school, the Managing Authority immediately on the occurrence of notifiable diseases, natural disasters or safety and health issues as follows:
- (a) notifiable diseases on Form M;
 - (b) safety and health issues on Form M and if applicable on Form G; and
 - (c) results of natural disasters on Form N.

16 Student Attendance Register

- (1) The principal teacher of a school shall cause a record of student attendance for each morning and each afternoon school session to be maintained.
- (2) An extract from any attendance register or other record book duly certified by a principal teacher shall be accepted as prima facie evidence of the statements contained therein.

17 Accident Register

- (1) School staff shall take all reasonable measures to ensure the safety of students undertaking classroom and outdoor activities.
- (2) A principal teacher shall:
 - (a) keep a record of accidents occurring upon the premises of a school or on a site related to the school's activities; and
 - (b) forward immediately to the Director or non-government Managing Authority on Form O, a report of each accident where any person has sustained an injury requiring medical attention.

18 Medical and Dental Care Examinations

- (1) Government approved health officers shall carry out authorised medical and dental examinations of students and inform parents of methods of sterilisation of any equipment used.
- (2) Prior parental consent for such examinations shall be on Form P.
- (3) Parents shall be consulted if there is a need for further action.
- (4) A copy of the report on each child shall be furnished to the principal. Such report shall be considered to be confidential.
- (5) When a student transfers to another school the medical and dental reports of that student shall be forwarded with the student's transfer form to the new school.

19 Government Grants

- (1) Grants to non-government secondary schools shall be based on exact student enrolment numbers for each school as at March 31.
- (2) The Minister may stipulate the use to which such grants shall be put.
- (3) An audit report of funds received each year shall be furnished to the Minister at the end of each financial year on Form K.
- (4) Grants to non-government Managing Authorities shall be forwarded no later than August 31 in each year.

20 Fees

- (1) Students in government schools shall pay fees for schooling, tuition, books, board or medical attention as set under section 49 of the Act.
- (2) Parents shall be given reasonable notice of any increase in government school fees.
- (3) Reduction to fees shall be allowed at a scale set by the Minister where there is more than one student in a family attending a government school.
- (4) Fees for non-government schools shall be set by their Managing Authorities.
- (5) School levies may be set by the principal teacher and such levies shall be administered through school accounts.
- (6) Any resource purchased with school levies shall be the property of that school.

21 Charge of School in Temporary Absence of Principal Teacher

The Minister or non-government Managing Authority may appoint, in the absence of the principal teacher of a school any other member of staff to act in the principal's place during such absence.

22 Work of Teaching Staff outside the Period Allocated for Instruction

The principal teacher may require a member of the school staff to perform school work or to supervise the activities of students outside the period allocated for instruction on a school day.

23 Attendance at Staff Meetings

The principal teacher may require members of the staff to attend staff meetings outside the period allocated for instruction of students in a school day.

24 Attendance at Non-School Activities in School Hours

Non-school activities shall be scheduled outside school time. Overseas non-school activities shall be scheduled for holiday periods or as part of approved recreation leave.

25 Person Undertaking a Course of Teacher Education

The principal teacher shall assign a master teacher and arrange professional support, to a person undertaking a teacher education course accepted by the school for practice in teaching.

26 Staff Awareness of Notifiable Diseases

The principal shall inform all teachers of action required to deal with each known notifiable diseases on, as defined in the Public Health Act 1992.

27 Copyright

The principal teacher shall inform all staff of the provisions of the Copyright Act (Cap. 121) when utilising published work for the purposes of teaching.

28 Professional Development

- (1) The Ministry and non-government Managing Authorities shall facilitate professional development programs and refresher courses for school staff.
- (2) Staff in all schools may take not more than 10 school days per year on which to attend workshops, conferences, seminars and programmes organised by the Ministry, other providers or professional associations of which the staff are members.
- (3) The Director in consultation with the principal teacher or the non-government Managing Authority may approve attendance at any of the activities referred to in subregulation (2). Every officer undertaking professional development shall lodge a full report with the Director or non-government Managing Authority within 3 weeks.
- (4) Education delivery methods using information technologies may be utilised to deliver professional development to teachers in the outer islands.

29 Research

The Minister may with the consent of Cabinet and in consultation with the families approve research involving a school, its staff, students or families.

30 Acceptance of Donations

- (1) Donations which may involve the school in any financial commitment, may only be accepted with the consent of the Minister or the non-government school's Managing Authority.
- (2) Details of all donations shall be entered in the school register as definition in regulation 15 (1) (a) (xxi).

PART 3 - MANAGEMENT OF SCHOOL STUDENTS

31 Management of Students

- (1) The principal teacher of a school shall be responsible for the progress and good behaviour, care and safety of students of that school.
- (2) The principal teacher shall make arrangements and ensure adequate and effective supervision of the students during each school day.

- (3) Due consideration shall be given to the support of all students to provide for their educational and personal needs.

32 Student Progress through School

- (1) Students may progress through education and subject levels at an increased rate where it is considered by the school and authorised officers of the Ministry or a non-government Managing Authority that the student will be disadvantaged by remaining at that education or subject level.
- (2) Students may progress through education levels at a slower rate taking two additional years for primary education and two additional years for secondary education where the additional time is considered by school staff as necessary for foundation learning.

33 Enrolment

- (1) Students may begin pre-school programmes in an early childhood setting at 3 years of age.
- (2) Students who have reached their sixth birthday shall be enrolled in Class 1 in a primary school.
- (3) A birth certificate from the Registrar of Births, Deaths and Marriages shall be presented upon enrolment in Class 1.
- (4) Where no birth certificate is available the parent shall provide a sworn affidavit.
- (5) There shall be no single teacher schools.

34 Withdrawal of Student from School

Where a parent chooses to withdraw a student who is older than the compulsory age from school, the principal teacher of the school shall be notified in writing and the withdrawal registered in the school student attendance register.

35 Failure to Enrol

- (1) A School Attendance Officer shall inquire throughout the school district from time to time to be satisfied that every child of compulsory age is enrolled in a school as required by section 52 of the Act.
- (2) Notice on Form Q shall be sent from the Ministry or non-government Managing Authority to parents who have failed to have their children of compulsory age enrolled in a school, or who having enrolled their

children, neglect or refuse or fail without valid excuse, to send their children to school. A copy of the notice shall be entered in the school records and second copy endorsed with the time of service and retained at the school.

- (3) If at the end of one month from the time of service of the notice, the parents have failed to comply with the notice, the endorsed copy shall be forwarded to the police with a request to investigate pursuant to section 56 of the Act.
- (4) Parents of students not attending school because of ill health or other unavoidable causes shall provide the principal teacher with copies of medical certificates or relevant details.

36 Truancy

- (1) Where a student of compulsory age is absent from school in excess of a week without notification, or where there is periodic truancy cumulating in 10 days of absences during one month, the principal teacher shall require from the parents an explanation in writing on Form Q. A copy of the notice shall be retained in the school records.
- (2) After a further 2 weeks of absence with no explanation, the principal teacher shall contact the School Attendance Officer to investigate the situation.
- (3) Where necessary, discussions may be undertaken within one week between the principal teacher, appropriate school personnel, the student and the parents.
- (4) Upon failure to reach a resolution the student's name shall be removed from the school enrolment register and the police requested to prosecute pursuant to section 56 of the Act within 2 weeks from the end of the investigation.

37 Retention of Enrolment Places

A school principal teacher shall not be required to retain an enrolment place for a student who leaves that school longer than one school term.

38 Re-enrolment of Students

A post compulsory student who leaves school for a period longer than 2 school terms for purposes other than expulsion or exclusion may re-apply for enrolment.

39 Jurisdiction over Students

- (1) The principal teacher and teachers in a school shall have a duty of care in loco parentis over a student while on the school premises and during official school activities.
- (2) The principal teacher may discuss with the parents of a student, any behaviour which may reflect negatively upon the school.
- (3) No teacher shall work with, coach, detain, discipline or teach a student alone outside school hours.

40 Discipline of Students

- (1) The Ministry, non-government Managing Authorities and their personnel shall take reasonable steps to prevent:
 - (a) students injuring themselves;
 - (b) students harassing or injuring other students;
 - (c) students harassing or injuring others;
 - (d) staff harassing or injuring students; or
 - (e) members of public harassing staff or students on school property.
- (2) The principal teacher and staff in each school shall establish an agreed and written code of behaviour and of dress for the school staff and for the students. This code of behaviour shall:
 - (a) reflect the values of the local community as well as those of the wider national society;
 - (b) reinforce that all school students and staff will be safe and are valued;
 - (c) define, model and reinforce non-violent and non-discriminatory language and practices; and
 - (d) stipulate that suspension, exclusion and expulsion procedures are considered only when all other approaches have been exhausted.
- (3) Teachers shall endeavour to secure the good behaviour of students without recourse to physical, emotional, degrading and injurious punishments.
- (4) Under no circumstances shall a teacher inflict corporal punishment on any student.
- (5) Under no circumstances shall staff in any school direct students to administer corporal punishment on another student.
- (6) Breaches by staff or students of the school behaviour code established under subregulation (2) shall be reported to the principal teacher. The

principal teacher shall consider the circumstances and decide on the management strategy most appropriate for the situation.

- (7) Breaches by the principal teacher of the school behaviour code established under subregulation (2) shall be reported to the Director or the non-government Managing Authority who shall consider the circumstances and decide on the management strategy most appropriate for the situation.
- (8) Punishment shall not be inflicted on students for failure or inability to learn or for trivial breaches of school discipline.
- (9) A principal teacher or teacher who inflicts corporal punishment on any student or causes any student to inflict corporal punishment on another student shall be reported for action to the Director or their non-government Managing Authority. Details of the incident shall be entered in the schools' staff discipline register.

41 Detention of Students

- (1) A student at a primary school may be detained for a period of not more than 20 minutes during the midday recess.
- (2) A student at a secondary or post compulsory school may be detained for a period of not more than:
 - (a) 20 minutes during the midday recess; or
 - (b) one hour after the period allocated for the school day and there must be two teachers present.
- (3) Detention shall be as punishment for disobedience, misconduct, wilful neglect to prepare home tasks or for other breaches of school discipline.
- (4) No student shall be detained for punishment after school hours without the approval of the principal teacher.
- (5) Any student detained under these regulations may be directed from time to time to perform appropriate duties by the principal teacher.

42 Suspension of Students

- (1) A principal teacher may investigate any student relating to any conduct that is prejudicial to the good order and discipline of the school and make appropriate recommendations to the Minister. The student shall first be informed of the allegations and given the opportunity to provide any explanation.
- (2) The principal teacher shall arrange for the student to return home and inform the parents of:

- (a) the fact of suspension; and
 - (b) the reason for suspension.
- (3) The principal teacher shall notify the Director or the non-government Managing Authority of the suspension immediately and the reason therefor.
 - (4) The student or the student's parent may appeal the suspension order within 4 weeks to the Minister or the non-government Managing Authority.
 - (5) The Minister or the non-government Managing Authority shall consider the appeal.
 - (6) Details of the suspension and any subsequent decision relating to it shall be recorded in the student's school record and the school discipline register.
 - (7) The appeal process shall be completed within 4 weeks.

43 Exclusion of Students

- (1) The principal teacher of a school may make recommendations to the Minister or the non-government Managing Authority that a student should be excluded from that school and the reasons therefor.
- (2) A student may be excluded from any number or all schools in an education system by the Ministry or non-government Managing Authority for a period up to one year. Upon being satisfied after investigation that the student is guilty of disobedience, misconduct or other conduct prejudicial to the good order and discipline of that school. The student shall be informed of the allegations and given the opportunity to provide any explanation.
- (3) Where the Minister or the non-government Managing Authority decides to exclude a student the principal teacher of the school, the student and the parents of the student shall be notified of the exclusion and the reasons therefor.
- (4) The student or the student's parent may appeal the exclusion order within 4 weeks to the Minister or the non-government Managing Authority.
- (5) The Minister or non-government Managing Authority shall in considering an appeal:
 - (a) confirm the exclusion;
 - (b) confirm the exclusion but vary the period of exclusion; or
 - (c) rescind the order for exclusion; and
 - (d) notify all persons concerned.

- (6) Details of the exclusion order and any subsequent decision relating to it shall be recorded in the student's school record and the school discipline register.
- (7) The appeal process shall be completed within 4 weeks.
- (8) A pupil may seek a transfer on Form R to another school.

44 Expulsion of Students

- (1) The principal teacher of a school may make recommendations to the Minister or the non-government Managing Authority that a student should be expelled from that school and the reasons therefor.
- (2) A student may be expelled from any number or all schools by the Minister or non-government Managing Authority when the Minister or non-government Managing Authority is satisfied after investigation that the student is guilty of repeated gross disobedience, misconduct or other conduct prejudicial to the good order and discipline of a school. The student shall be informed of the allegations and given the opportunity to provide any explanation.
- (3) Where the Minister or the non-government Managing Authority expels a student they shall notify the principal teacher of the school, the student and the parents of the student of the expulsion and the reasons therefor.
- (4) The student or the student's parent may appeal the expulsion order within 4 weeks to the Minister or non-government Managing Authority.
- (5) The Minister or non-government Managing Authority shall consider such appeal and in consultation with the Director or the principal teacher of the school shall:
 - (a) confirm the expulsion; or
 - (b) rescind the order for expulsion; and
 - (c) notify all persons concerned.
- (6) Details of the expulsion order and any subsequent decision relating to it shall be recorded in the student's school record and the school discipline register.
- (7) The appeal process shall be completed within 4 weeks.

45 Suspended, Excluded or Expelled Students sitting Examinations

- (1) If a student registered for any examination approved by the Minister is suspended, excluded or expelled from a school, the student shall be

allowed to sit for the examination at the school or at a centre specified by the Ministry or the non-government Managing Authority.

- (2) Internal assessment details where applicable shall be forwarded to the Ministry for inclusion in the student's results.
- (3) The examination results for a student sitting under special conditions shall be included with the collective results for that school.
- (4) The principal teacher shall inform the student that there may be a requirement to sit the examination under special conditions immediately after suspension, exclusion or expulsion.
- (5) Where a suspended, excluded or expelled student is registered for an examination and the principal teacher considers an alternative examination site is necessary, he shall notify the Ministry or non-government Managing Authority and request an alternative site no later than 4 weeks prior to the examination.
- (6) A student who is required to sit an examination at an alternative site shall be informed by the principal teacher, of the site, the examination time and any particular requirements for the examination no later than 2 weeks prior to the examination.

46 Student Transfers

- (1) Applications to transfer a student may be made by the parent in writing to the school, nominating the school to which transfer is desired.
- (2) The principal teacher on receipt of an application for transfer shall:
 - (a) issue a transfer in triplicate on Form R;
 - (b) provide one copy to the parent to be presented to the principal teacher of the school to which the student is transferring;
 - (c) forward a copy to the Director or to the school's managing Authority to which the student is transferring; and
 - (d) retain a copy for school records.
- (3) The principal teacher of a school to which the student intends to transfer may decline to enrol the student if the transfer is a result of exclusion or expulsion, or if the student does not meet the enrolment criteria for the intended course of study.

PART 4 - MANAGEMENT OF SCHOOL STAFF

47 Management of School Staff

- (1) The principal teacher of a school shall regulate, apportion and supervise the work of each staff member.
- (2) The principal teacher of a school shall encourage the use of teaching and learning techniques within the school to meet the needs of all students.

48 Must hold a Teaching Certificate

- (1)
 - (a) No person shall be authorised to teach in any school unless he is a holder of a certificate pursuant to section 45 of the Act.
 - (b) Applicants for position of teacher shall be required to apply on Forms S to the Minister.
- (2) The Minister or an authorised officer shall:
 - (a) check with the appropriate institution or utilise overseas accreditation units; and
 - (b) authorise the certification or inform the applicant of non - certification.
- (3) The application process shall be completed within 3 months.
- (4) Personnel who do not hold any qualifications but who have already been appointed to a teaching position pursuant to section 45 of the Act shall have a 2 year period in which to complete teacher in-service. The in-service shall consist of units at teachers' own expense or by winning an open scholarship for an appropriate qualification through an institution recognised by the Minister. Such officer shall be deemed to be authorised to teach under section 45 of the Act.
- (5) Personnel who hold a qualification but not a teaching qualification but who wish to teach may apply to the Minister to be authorised to teach under section 45 of the Act.
- (6) The Minister shall require an applicant under subregulation (5) to undertake certain in-service course subsequent to certification.
- (7) Any person aggrieved by any decision affecting his application to teach shall have a right to appeal pursuant to regulation 56.

49 Appointment and Transfer of Teachers

- (1) In assessing applications for appointment to teach under section 18 or 22 of the Act the relevant authority shall have regard to expertise, judgement and accountability.
- (2) The Minister may employ graduate or trained teachers where the Minister is satisfied that such a person is suitable to be a teacher.
- (3) No person shall be appointed as a teacher and if appointed shall be dismissed who has been convicted of:
 - (a) any sexual offences;
 - (b) assault, bodily harm or grievous bodily harm;
 - (c) fraud or similar offence;
 - (d) theft;
 - (e) supply drugs;
 - (f) supplying intoxicating beverages to any student under the age of 16 years; or
 - (g) being a prostitute.
- (4) The Minister shall consider appropriate action upon repeated convictions by school personnel of:
 - (a) abusive, profane or indecent language; or
 - (b) disorderly behaviour.
- (5) No person shall be appointed to a position in a school who is bound by section 46 (1) of the Act.
- (6) A teacher appointed to teach in a government school shall be notified in writing on Form T. Acceptance of this offer on Form U shall be dependant on the teacher being certified to be medically fit by a government approved medical officer.
- (7) Transfer of teachers shall be based on the following:
 - (a) promotion;
 - (b) application by the teacher;
 - (c) according to the needs of the Ministry or of the non-government Managing Authority; or
 - (d) disciplinary action.
- (8) A government school teacher may appeal against a transfer if that teacher:
 - (a) is the sole economic and physical support for elderly parents;
 - (b) has already served the stipulated 3 year period at that level of appointment away from their home base; or

- (c) has a serious, medically verified condition which can only be treated at the Vaiola Hospital.
- (9) A government teacher may appeal on Form V against a transfer in accordance with regulation 56.
- (10) Personnel appointed to a Ministry or non-government Managing Authority teaching position from a Government scholarship shall abide by terms of the scholarship agreement on Form W.

50 Probation of Teachers

On first appointment to the teaching service and on first appointment as principal teachers, all teachers shall serve a probation period of one year or such other period as the Minister or non-government Managing Authority may direct.

51 Registration of Teachers

- (1) No teacher shall be confirmed for registration until a satisfactory report is received at the end of the probationary period from the principal teacher and authorised officers of the Ministry or non-government Managing Authority.
- (2) On confirmation of registration, a teacher's name shall be entered in a register of teachers.
- (3) Teachers who have not had a satisfactory report shall be reassessed within 6 months.

52 Appraisal of Teachers

Teachers shall be appraised on an annual basis by authorised officers of the Ministry or non-government Managing Authority. A copy of this confidential report on Form F shall be provided to the teacher and the principal teacher of the school.

53 Promotion of Teachers

Promotion of teachers shall be upon the following conditions:

- (a) highly satisfactory work;
- (b) above average skill in providing teaching and learning; and
- (c) highly satisfactory conduct and professionalism.

54 Discipline of Teachers in Government Schools

- (1) Where the principal teacher considers the personal or professional conduct of a teacher in a government school is detrimental to the education of students in the school the Director shall be notified.
- (2) The Director shall follow Civil Service regulations in any disciplinary proceedings.
- (3) The teacher may appeal in accordance with regulation 56.
- (4) Any situations involving the conduct of a school principal teacher may be brought to the attention of the Director by any student, teacher or student's parent.
- (5) Where conduct may constitute a breach mentioned in regulation 49(3), the principal teacher or teacher involved shall be suspended by the Minister who shall investigate all the circumstances and take any necessary action.

55 Dismissal of Teachers

- (1) The Minister or non-government Managing Authority may dismiss a teacher, if after investigation he is satisfied that the teacher is guilty of the misconduct alleged of.
- (2) The teacher shall be informed of the allegations and given the opportunity to be heard in defence.
- (3) The Minister or non-government Managing Authority shall inform the teacher in writing of:
 - (a) decision to dismiss;
 - (b) reasons for dismissal; and
 - (c) the right of appeal under regulation 56.
- (4) Any teacher convicted of any of the breaches listed in regulation 49(3) shall be dismissed or removed from contact with students.
- (5) Any teacher who has been dismissed and re-employed shall be under probation for a period of one year or such other period of probation as determined by the Minister or non-government Managing Authority.

56 Appeals

- (1) A person aggrieved by a decision made by the Ministry or non-government Managing Authority may appeal within 4 weeks of being notified of the decision under review.

- (2) The appeal shall be in writing to the Minister or to the non-government Managing Authority setting out grounds of appeal.
- (3) In considering the appeal the Minister or non-government Managing Authority shall consult with the appellant and other relevant personnel.
- (4) The Minister or non-government Managing Authority shall inform the appellant of the decision in writing.
- (5) An appeal shall be completed within 4 weeks of receipt of the appeal.

57 Government Teacher Housing

Where a teacher is transferred to a government school in an area which is not their permanent domicile, adequate housing shall be provided and available for the duration of the transfer, prior to assumption of duty.

PART 5 - MANAGEMENT OF SCHOOL PROPERTY

58 Management of School Property

The principal teacher of a school shall be responsible for the care and conditions of the buildings, grounds, equipment, resources, crops and livestock of that school.

59 School Cleaning

The principal teacher shall be responsible for organising the cleaning of the school buildings and maintenance of its grounds.

60 Use of Government School Property

- (1) Use of government school buildings, grounds, resources and equipment shall be at the discretion of the principal teacher. Where the use is for another school, community group or private group the agreement shall be in writing incorporating the conditions of sub-regulation (2) and filed in the school records;
- (2) Conditions for the use of government school property shall include:
 - (a) that the proposed use of the such property shall not interfere with the ordinary work of the school or cause damage to the premises or injury to any person;

- (b) that the premises shall be left clean by the permitted user to the satisfaction of the principal teacher and any furniture or apparatus returned to its original position;
- (c) that the permitted user shall be responsible for and shall immediately arrange for the repair of any damage caused by the permitted user during use of the premises and any repair shall be completed to the satisfaction of the principal teacher;
- (d) that all charges in respect of the hiring of school property shall be paid by the permitted user; and
- (e) that all funds collected by the principal teacher from the use of school premises shall be administered through school accounts.

61 Equipment Management

Purchase of any equipment for use in government schools shall be undertaken in consultation with appropriate officers from the Ministry.

62 Identification of School Equipment and Resources

- (1) All equipment and resources belonging to a school shall be inscribed in visible and permanent means with the name of the school and a stock number. Livestock shall be identified by numbered ear tags or leg bands.
- (2) Stock numbers shall be recorded in the school's stock register.
- (3) Stock records shall be audited annually with written entries to account for any lost or damaged stock.

63 Private Livestock on School Property

The principal teacher shall set fees for agistment or services of livestock on government school property and such fees shall be administered through school accounts.

64 Write Off or Sale of stock, Resources or Equipment

- (1) The principal teacher shall annotate the stock records with a write off date and dispose of the stock in question after consultation with and upon receipt of written instructions from authorised officers of the Ministry or their non-government Managing Authority.
- (2) The principal teacher shall notify the Board of Survey of stock considered to have sale value and write off of government stock.

- (3) Non-government schools shall convey stock to their non-government Managing Authority or be advised of an alternative action.
- (4) Livestock for sale from government schools shall be valued by the Ministry of Agriculture and Forestry. Non-government schools shall arrange for their own valuation.
- (5) Ministry of Agriculture and Forestry shall be notified of diseased livestock in any school.
- (6) All valuations and notification in the preceding sub-regulations shall be entered in the appropriate stock or livestock record.

65 Arson, Vandalism or Traumatic Incidents

- (1) The principal teacher shall report immediately on Form X to the Minister or non-government Managing Authority and where necessary to the police, incidents of arson, vandalism or traumatic incidents.
- (2) Professional counselling support shall be offered to students who are affected by arson, vandalism or by traumatic incidents related to their school setting.

Made at Nuku'alofa this 11th day of October, 2002.
Minister of Education.

Forms

FORM A

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM A

APPLICATION TO ESTABLISH A SCHOOL

(including significant amendments to a school' but excluding theological colleges)
(Regulation 4(2))

(Print in block letters)

1. Proposed location (attach a map or deed):.....
2. Name of organising authority (attach certificate of incorporation (if applicable)):.....
3. Proposed enrolments for the educational levels for the first year of operation:

Presc	C11	C12	C13	C14	C15	C16	Fm 1	Fm 2	Fm 3	Fm 4	Fm 5	Fm 6	Fm 7

Other educational provision (please specify)

													Total of all enrolments

4. Proposed enrolments for the educational levels for the second year of operation

Presc	C11	C12	C13	C14	C15	C16	Fm 1	Fm 2	Fm 3	Fm 4	Fm 5	Fm 6	Fm 7

Other educational provision (please specify)

													Total of all

5. List the schools where the students entered in Question 3 currently attend with the schools' current total enrolment:

.....

.....
6. List all villages within 2 miles of the proposed location:.....

.....

.....

 1. A significant amendment is deemed to be:
 - (i) an extension of a school's present educational provision to encompass preschool, primary, secondary, distance, vocation and training, distance or special education;
 - (ii) a relocation of the school. Relocations may include the establishment of an additional campus for students not already taught at the school, as well as the change in location of all or some of the students already taught at the school;
 - (iii) an amalgamation with another school or schools;
 - (iv) the separation of the school into two or more schools;
 - (v) re-establishment of a previously closed school; or
 - (vi) a change of school name, change from single sex to co-educational or changes in school governance or authority.

7. List population of villages and approximate growth rate or any anticipated drop in village population:

.....
.....
.....

8. Attach a copy of the school's philosophy, proposed mission statement, the goals and objectives. (Government schools shall meet the Ministry's philosophy, mission statement, goals and objectives).

9. Provide a brief curriculum framework for all subjects to be taught indicating:

- (i) teaching and learning strategies which shall be used appropriate to the age, ability, potential and development of students;
- (ii) assessment and evaluation processes to be used;
- (iii) resources to be provided for each educational level and subject.

10. Outline or attach the management processes and structures which shall allow the school to operate as an effective organisation:.....

.....
.....
.....

11. Outline or attach provisions which shall be provided for all students (including disabilities, and gifted students for students with limited access and special language needs who shall use distance education or alternate mode).

.....
.....
.....
.....

12. Outline or attach the information processes to be used to inform parents and the school community of the philosophy of the school, the mission and goals, results of student and management evaluation and assessment.....

.....
.....
.....
.....

13. What periodic process (including time lines) shall be used to review the school, its educational outcomes and its governances?.....

.....
.....
.....

14. Attach a list of proposed staff positions (with desired qualifications and

teaching experience) required to operate the school.

15. Does the school intend to apply for government grants: Yes / No

16. Does the school intend to apply for duty free exemptions for any purpose
Yes / No

17. Does the school intend to provide a boarding facility:

If 'yes', when shall the boarding facility be provided and for how many students:.....

Signed:..... Signed:.....

Position:..... Position:.....

Date:/...../..... Date:...../...../.....

On behalf of the:..... On behalf of the:.....

.....
Managing Authority Managing Authority

For Head Office Use

Approval

.....
Minister of Education Date:

Non approval

.....
Minister of Education Date:

FORM B

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM B

REGISTRATION OF A SCHOOL
(Regulation 5(1))

(Print in block letters)

1. Name of the school:.....
2. Address/location:.....
3. Name of organising authority:.....
4. Educational levels provided (please tick):

Presc	C11	C12	C13	C14	C15	C16	Fm 1	Fm 2	Fm 3	Fm 4	Fm 5	Fm 6	Fm 7

Other educational provision (please specify)

													Total of all enrolments

5. Attach a copy of the school's philosophy, proposed mission statement, the goals and objectives.
(Government schools shall meet the Ministry's philosophy, mission statement, goals and objectives).
6. Provide a brief curriculum framework for all subjects to be taught which includes:
 - (i) teaching and learning strategies used appropriate to the age, ability, aptitude and development of students;
 - (ii) assessment and evaluation processes used.
7. Outline or attach the management processes and structures which allow the school to operate as an effective organisation:.....
.....
.....
8. Outline or attach provisions which shall provide for students with disabilities, or as gifted students or for students with limited access and who shall use distance education or alternate mode:.....
.....
.....

9. Outline or attach the information processes used to inform parents and the school community of the philosophy of the school, the mission and goals, results of student and management evaluation and assessment.....
.....
.....
10. What periodic processes (including time lines) are used to review the school, its educational outcomes and its governances?.....
.....
.....
11. Does the school apply for government grants: Yes / No
12. Does the school apply for duty free exemption for any purpose: Yes / No
13. Does the school provide a boarding facility: Yes / No
If 'yes', how many students are accommodated:.....

Principal:

Date:/...../.....

For Head Office Use

Approved

.....
Minister of Education

Date:/...../.....

Not approved

.....
Minister of Education

Date:/...../.....

Reasons for non approval:

FORM C

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM C

CLOSURE OF A SCHOOL
(Regulation 6)

(Print in block letters)

1. Name of school:.....
2. Location:.....
3. Controlling Authority:.....
4. Current enrolment:

Presc	C11	C12	C13	C14	C15	C16	Fm 1	Fm 2	Fm 3	Fm 4	Fm 5	Fm 6	Fm 7

Other educational levels (please specify)

													Total of all enrolments

5. Current number of teachers:

Presc	C11	C12	C13	C14	C15	C16	Fm 1	Fm 2	Fm 3	Fm 4	Fm 5	Fm 6	Fm 7

Other educational levels (please specify)

													Total of all teachers

6. Reason for proposed closure:.....
.....
.....
.....
.....
7. What was the process used in discussions with all parents?.....
.....
.....

8. List the schools the parents have nominated as their new school, should their current school be closed:

Division	Name of School	Approximate Number
Pre-school
Primary
Secondary
Other

9. Add any additional information necessary for a decision on this closure:

.....
.....

Signed:..... Signed:.....

Position:..... Position:

Date:...../...../..... Date:...../...../.....

On behalf of the:..... On behalf of the:.....

.....
Managing Authority School

Head Office / Managing Authority Use

1. Conditions are valid Yes / No

2. Capacity to cater for extra students in the listed schools:

Division	Name of School	Comments
Pre-school	.....School	.....
Primary	..... School	.....
Secondary	.....School/College	.....
Other	.....	.....

3. Relocation of teachers:.....

.....
.....

4. Recommendation to close school Yes / No
5. Any other recommendation or comments?.....

.....
.....
.....

Name:.....

Signature:..... Date:...../...../.....

Position:.....

Signature:..... Or Signature:.....

Minister of Education Name:.....

Position:.....

Managing Authority.....

Approved: Yes / No Approved: Yes / No

Date:...../...../..... Date:...../...../.....

Reasons for non approval:

FORM D

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM D

MEMORANDUM OF AGREEMENT
GOVERNMENT OF TONGA MANAGING NON-GOVERNMENT SCHOOLS
(Regulation 7)

(Print in block letters)

DATED at.....
this.....

BETWEEN THE GOVERNMENT OF TONGA

(hereinafter called "Government") of the first part

and

(hereinafter called ".....") of the second

WHEREAS the.....is the sole owner and proprietor of a
non-government school located at.....is desirous of offering this school
and of

cooperating with Government in establishing a.....school to provide.....
school education for the whole community for the duration of this Agree-
ment.

AND WHEREAS Government, because of the special circumstances is
desirous to assist on a temporary basis by managing a government school at
this location and is willing to finance the recurring costs of the school.

NOW THIS DEED WITNESSES that the parties are agreed as follows:

Integrated School Established

1. An integrated school is hereby established which shall consist of a school
previously known as the.....School at.....but
which shall be managed and operated by Government as a Government
School under the *Education Act (Cap. 86)* and in accordance with this
Agreement, as long as it does not come into conflict with the provision of
the said Act.

School Premises

2. The.....hereby grant to Government all rights of use in respect of
their land, buildings, furnishing, equipment, material and all things in this
school for and only during the duration of this Agreement.

Integration Standing Committee

3. An integration standing committee is hereby established which shall consist of:
 - (a) the Director of Education or a representative who shall be the Chairperson;
 - (b) the.....of the.....schools; and
 - (c) two other representatives as are deemed necessary.
4. The Committee shall be charged with the function of considering and recommending to the Minister of Education:
 - (a) such measures as may be necessary to ensure that integration of the two schools is effectively and smoothly achieved at the school;
 - (b) such matter as may be referred to the Committee by the Minister;
 - (c) such matters or problems which the Board of Governors may refer to the Committee;
 - (d) such matter as may in the opinion of the Committee be essential and desirable, and which shall preserve and safeguard any special religious character of the school.
5. The Committee shall meet twice a year and as any special business may require.

Board of Governors

6. A Board of Governors is hereby established which shall consist of:
 - (a) 3 persons appointed by the Minister, one of whom shall be the Chairperson; and
 - (b) 2 persons appointed by the.....
7. The Principal of the School shall be the Secretary of the Board.
8. The Board of Governors shall be responsible for:
 - (a) carrying out any direction or instruction of the Minister of Education;
 - (b) resolving any problem or matter which they may effectively do;
 - (c) recommending measures which in their view shall ensure to the parents of students at the school and the people of.....that their interests and well being are maintained and safeguarded;
 - (d) advising on any matter which contributes to improving the morale and standard of the school.
9. All members of the Board shall reside at.....and if any member departs from the specified location for any period of 3 months or more shall be replaced by another appointed by the party represented by such manner.

Curriculum and Standards

10. The Minister shall set or approve the curriculum as directed in the *Education Act (Cap. 86)* and issue such instructions for the school and shall ensure that the standard of the school and its teaching and learning programme shall be comparable to other similar government schools.

Teachers

11. All teaching staff will be retained for a period of.....and through assessment procedures will be considered for employment with the Government of Tonga including teachers who do not hold teacher qualifications pursuant to section 45 of the *Education Act (Cap. 86)* and regulation 48 and regulation 49 of the Education (Schools and General Provisions) Regulations.

Term of Agreement

12. This Agreement shall come into effect on the.....and shall expire on the..... Provided that it may be renewed for a further period by mutual agreement of the parties.

Liabilities of Parties

13. Government shall pay all recurrent costs of daily operating the school and for any necessary repairs to the building and shall consider compensation for resumption of land, but the.....shall be liable for payment of any rental of the leases of land.

Amendment

14. This Agreement may be amended or terminated by mutual agreement of the two parties.

IN WITNESS whereof of the above named parties have hereunto set their hands the day and year first

above-written:

Signed for and on behalf of Government

in the presence of:

.....

Signed for and on behalf of the.....

in the presence of:.....

Endorsement

This Agreement between the Government of Tonga

and the.....

Received for registration this.....day of.....

Registration Number:.....

FORM E

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM E

APPLICATION FOR EXTENSION OF EDUCATIONAL LEVELS
(Regulation 8)

(Print in block letters)

1. Name of school:.....
2. Location of school:.....
3. Principal Teacher or Manager:.....
Signature:..... Date:...../...../.....

4. Current enrolment:

Presc	C11	C12	C13	C14	C15	C16	Fm 1	Fm 2	Fm 3	Fm 4	Fm 5	Fm 6	Fm 7

Other educational levels (please specify)

													Total of all enrolments

5. Proposed extension: (e.g. preschool, or Class 7, or Form 6, or Form 7, or additional educational delivery area):
.....
6. Proposed enrolment for the next 5 years for proposed extension:

Years	No. of students to enrol in any new extension

7. Where would these students currently attend school:.....
.....
8. Distance to nearest school/s providing proposed year level and similar core of education:
.....

9. Proposed subjects to be provided:
- | | |
|-----------|-----------|
| (a) | (e) |
| (b) | (f) |
| (c) | (g) |
| (d) | (h) |
10. Additional teachers required to provide proposed subject and from where shall these teachers be recruited:
.....
.....
11. Proposed Leaving Examination if extension is in years for public examination:
.....
12. Additional buildings, furniture, resources and equipment to be provided:.....
.....
.....
13. Other access for students if this application is not approved:.....
.....
14. Supporting reasons for application:.....
.....
.....
15. Attach supporting statements from parents, teachers and other community personnel.

For Head Office Use

1. Sufficient number of enrolment depending on the circumstances.....
.....
2. Appropriate curriculum approved by the Ministry.....
.....
3. Teacher numbers and qualifications.....
.....
4. Required buildings, furniture, resources, and equipment.....
.....
.....
5. Any other factors influencing decisions.
.....

Approved:..... Not approved:.....

Signature:..... Date:...../...../.....

Director

Reasons for non approval:

FORM F

FORM F
EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS) REGULATIONS 2002
TEACHER APPRAISAL
(Regulation 10(2)(b))
(Print in block letters)

1. Name of Teacher:.....
 2. School:.....
 3. Class:.....
 4. No of students:.....
 5. Date:...../...../.....
 6. Date of birth:.....
 7. Marial status:.....
 8. Sex: M / F
COMPONENT A: TEACHER PLANNING, PRESENTATION, MANAGEMENT, STUDENT LEARNING AND CLASSROOM ORGANISATION
 (Rate teachers on a scale 1 – 5, with 1 as the highest)
(i) TEACHER PLANNING

	1	2	3	4	5	COMMENTS
1. Statement of objectives in teacher planning						Related to topics and syllabus Appropriate to student levels Attainable Student Centered Measurable
2. Teaching strategies						Related to objectives Suitable to students Effectively and confidently used Promote learning Time conscious

		1	2	3	4	5	COMMENTS
6. Content of lessons	Related to the objectives, the topic, and the unit plan Appropriate to the level Accurate Interesting, motivating and up-to-date Consensus of student learning styles						
7. Motivational levels	Deliberate effort to motivate High level sustained throughout Appropriate activities Effective use of teaching strategies Activities high in creativity						
8. Work extension	Optional activities exist Appropriate activities Varied to cover subject areas Records show activities being used						
9. Consolidation and review	Strategies appropriate Individual achievement sought and monitored Related to the objectives Can demonstrate a degree of success Identification of students who require additional support Evidence of outcomes used for follow-up						

(III) MANAGEMENT OF TEACHING AND LEARNING

		1	2	3	4	5	COMMENTS
1. Teacher student relationships	Warm, friendly and relaxed Evidence of active pupil participation in lessons Teacher responds to individual needs Teacher encourages and praises students within their own potential						
2. Able to stimulate and maintain interest throughout the lesson	Gauges students response in pacing of the lesson Can modify lesson to meet understanding of students Refers to students contributions during lessons Uses known contexts for students						
3. Able to make and effectively implement decisions in the management of class or group	Can identify situations where decisions need to be made Can formulate appropriate management decisions Can impart decisions to class or group Follows up decisions for effectiveness						
4. Stock, students, books, cards, charts, activities	Materials are evident Well placed and accessible Labelled Well organised						

(IV) LEARNING

		1	2	3	4	5	COMMENTS
1. Quality of group work provided	Grouping used appropriately Group routines observed Group strategies appropriate Group activities appropriate Individual assistance given Evidence of the success and improvement group management						
2. Marking of students' work	Appropriate Consistent marking scheme used Some evidence of teacher student conferences Evidence of follow-up						
3. Level of learning achieved	Very high (about 90-100% of the class) High (about 70-90% of the class) Moderate (40- below 70%) Very little (20- below 40%) Hardly or none at all (below 20%) Evidence of changes in teaching to increase learning						
4. Levels at which activities are provided	Variety to cater to different ability group Challenging User-friendly Time-conscious Appropriate						

(V) CLASSROOM ORGANISATION

	1	2	3	4	5	COMMENTS
1. Effective organisation of class						Students can move about freely but with purpose Subject activity sections have appropriate activities Subject activity sections have suitable equipment and apparatus Evidence that equipment and activities are being used
2. Library and resource section						Well organised Well labelled Materials are varied, e.g. Tongan and English Materials are appropriate Evidence that the library and resource section is being used
3. Wall charts of different purposes						Well organised Appropriate Cover most subjects Correct and legible Attractive and neat

Comments:

Total score:

Grade point score:

COMPONENT B: TEACHERS RECORDS

		1	2	3	4	5	COMMENTS
1. Attendance register	Tidy Up-to-date Standard marking employed Evidence of follow-up of absences, etc.						
2. Progressive records, case and mark book	Regularly marked and entered Well-organised Comments are constructive Entries are correct Evidence that results used in follow-up						
3. Test-question file	Well-organised Up-to-date Relevant to plans and level Submitted to school head for checking Tests relevant and valid						
4. Weekly plan	Up-to-date Well presented and easy to follow Has standard requirements Submitted to principal teacher or manager for checking Evidence of conscious amendments to meet needs						

		1	2	3	4	5	COMMENTS
5. Daily plan	Up-to-date Well presented and easy to follow Has standard requirements Submitted to principal teacher or manager For checking Evidence of conscious amendments to meet needs						
6. Students' personal files	Up-to-date Comprehensive Used constructively to meet individual needs Well-organised Evidence of parental interview						
7. Resources and activities files	Well-organised Variety Interesting and creative Appropriate Accessible and used						

Comments:

Total score:

Grade point score:

COMPONENT C STUDENTS WORKBOOKS							COMMENTS
1. Quality of marking employed	Clear standard system of marking Marking is consistent Refers back to teaching objectives Positive comments used Student directed	1	2	3	4	5	
2. Marking of work	Regular (shows date) and positive Neatly done Up-to-date Evidence of follow-up						
3. Remedial or extension work	Used Regular Relevant Checked Successful						
4. Neatness of written work	Well presented, neat and no scribbling Shows progressive improvement Follows some order or system						
5. Amount of work covered in each subject	Scheme of work coverage adequate Teaching in line with work plan Student directed Emphasis in accordance with set educational outcomes All subjects adequately addressed						

		1	2	3	4	5	COMMENTS
6. Quality of work shown	Achievement is high by whole class Work reflects high quality planning and teaching Ability to cope with activities Needs of ability levels adequately addressed Evidence of systematic follow-up						

General comments:

Total score:

Grand score points:

Evaluation:

Signed:.....

Position:.....

Date:...../...../.....

PRINCIPAL TEACHER AND MANAGERS' EVALUATION REPORT

1. Name of Teacher:.....
2. School:.....
3. Class of school:.....
4. No of students:.....
5. Date:...../...../.....
6. Date of birth:.....
7. Marital status:.....
8. Sex: M/F

(D) MANAGEMENT

	1	2	3	4	5	COMMENTS
1. School organisation and staffing						Appropriate teacher class allocation Appropriate teacher duties allocation Aware of responsibilities and fol- low-through Good relationship with staff Written record of organisation and management

2. School dress and behaviour code	Has been co-operatively developed Sets out clear guidelines Code is accessible to all staff and students in the school Meets the needs of the school Ensures a safe and supportive environment for staff and students	1	2	3	4	5	COMMENTS
3. Job descriptions and duty rosters	Record of job descriptions Clear and well-prepared rosters Rosters up-to-date and well known to all staff Evidence that some monitoring takes place						
4. Stock and issue registers	Well organised Accurate Used for administration purposes Issue and return of stock clearly demonstrated All stock accounted for						
5. School calendar	Clearly presented Accessible to all staff Up-to-date Meets the needs of the school, includes all variation to a school routine Comprehensive						

(II) EVALUATION

		1	2	3	4	5	COMMENTS
1. Student records	Well-organised Continuous and up-to-date Entries sound and meaningful Used to inform school and classroom activities Used for parent interviews						
2. Promotes progressive strategies for teaching and learning	Sound knowledge of teaching and learning Clear support to teachers Advice is sound and meaningful Evidence of use in classroom planning Allows for increased or slower student progress through levels						
3. Directions to staff to meet educational outcomes	Well organised Continuous and up-to-date Directions are sound and meaningful Appropriate to age and ability levels						
4. Staff development programme	Well-organised Up-to-date Complete Used for further programmes and follow-up Principal teacher or manager is up-to-date on professional matters Supports teachers sharing teaching skills						

(III) ADMINISTRATION AND RECORDS

	1	2	3	4	5	COMMENTS
1. Records are kept in accordance with Regulation 15 of Education (Schools and General Provisions) Regulations	Well-organised Well-categorised Up-to-date Evidence of use for school planning					
2. Attendance records, accident records, copyright register, leave registers, variations to school routines, medical and dental records, parent permission forms	Well-organised Up-to-date Used for supervision and administration					
3. Audit records	Well-organised Up-to-date All funds can be accounted for Used for school budgeting and planning					

(IV) SCHOOL ENVIRONMENT AND COMMUNITY

	1	2	3	4	5	COMMENTS
1. School environment						Clean and tidy Fenced or hedged Flower gardens Tree, vegetable planting programme Safe and secure Evidence of a school environment programme
2. Status of school facilities						Clean Well-maintained Well ventilated Well lighted Safe and secure
3. School community						Support provided to the school Evidence of work done in the school Evidence of cooperative activities

General comments:

Total score:

Grade point score:

Signed:.....

Position:.....

Date:...../...../.....

FORM G

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM G

MAINTENANCE REPORT
(Regulation 10(2)(g))
(Print in block letters)

1. Name of school:.....
2. Location of school:.....
3. Number of buildings in the school:.....
4. Indicate only those areas of the school buildings which require urgent attention. (Complete a separate sheet for each building)

No. 1: Type of building: Wood:.....Brick:..... Other:.....

Priority 1	Priority 2	Priority 3	
Roof - rafters	.... Door - locks	.... Furnishings - lino	....
- sheeting	.... - hinges	- tiles	....
- capping	.... - glass	.... External painting -	....
- down pipes	.... - door itself	.... Internal painting -	....
- drain pipes	.... Windows - frames	.... Cupboards -	....
Floors- Foundation	.... - glass	.... Fences	....
- wooden floor	.... - louvers	.... Gates	....
- slab	.... - shutters	.... Landscaping -	....
Walls - beams	.... - locks	.... Flagpoles	....
- bracing	.... Furniture - student		
- verandahs	.... - teacher		
- awnings	.... Partitions -		
- inside wall	.... Blackboards -		
- outside wall	.... Paving -		
Water supply - tanks	.... Steps -		
- taps	.... Laboratories - water taps		
- pipes	.... - sinks		
- pumps	.... - shelves		
Drainage -	.... - cupboards		
Toilets - seats			
- cisterns			
- latrines			
Lights -			
Kitchens - water tap			
- stove			
- Lights			
Ceilings -			
Gutterings -			
Drinking fountain -			

Comments:

.....

.....

.....

.....

.....

.....

.....

5. Indicate only those areas of teacher accommodation which require urgent attention. (Complete a separate sheet for each building).

Building No.1 Type of Building Wood:..... Brick:..... Other:.....

Priority 1	Priority 2	Priority 3
Roof - rafters	..... Furniture -	..... Furnishings - lino
- sheeting	..... Partitions -	- tiles
- down pipes	..... External painting -	..... Internal painting -
- drain pipes	..... Paving -	..... Cupboards -
Floors - slab	..... Steps -	..... Fences -
Walls - beams		..... Gates -
- bracing		..... Landscaping -
- verandahs		..... Beds -
- awnings		..... Floors -
Doors - locks		..... Lights -
- door itself		..... Ventilation -
Windows - frames		
- glass		
- louvers		
Water supply - tanks		
- taps		
- pipes		
- pumps		
Drainage -		
Sewerage -		
Lights -		
Kitchens -		

Comments:

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.....

Signed:.....

Position:.....

Date:...../...../.....

FORM H

EDUCATION ACT (CAP. 86)

EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM H

PARENT PERMISSION TO ATTEND A SCHOOL FIELD TRIP
(Regulation 12(6))

(Print in block letters)

Name of school:.....

Location of student:.....

Educational Level:.....

I,consent for the above to attend a field trip on.....

I have been told in writing about:

- | | |
|---|----------|
| (i) the purpose for the field trip | Yes / No |
| (ii) the date of the field trip | Yes / No |
| (iii) the place the students are going to | Yes / No |
| (iv) the transport to be used | Yes / No |
| (v) names of the teachers and helpers who will be on the trip | Yes / No |
| (vi) the time when the students will return to school | Yes / No |

Parent signature:

Date:/...../.....

FORM I

EDUCATION ACT (CAP. 86)

EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM I

MARCH AND SEPTEMBER ENROLMENT RETURN
(Regulation 15(3)(a))

(Print in block letters)

1. Name of school:..... Date...../...../.....

2. Location of school:.....

3. Enrolment figures at the end of this month:

	Preschol	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Total
Male								
Female								
Total								

	Form 1	Form 2	Form 3	Form 4	Form 5	Form 6	Form 7	Total
Male								
Female								
Total								

	Other							Total
Male								
Female								
Total								

4. Days or half days the school was closed or the students were released from school since the last return:

Dates	Class, Form or Other	Reasons

Principal Teacher's signature:.....

Date:/...../.....

FORM K

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS) REGULATIONS 2002
FORM K
AUDIT CERTIFICATE (Regulation 15(3)(d))
Accountability of School Finances for(year)
(Print in block letters)

I,
(name of accountant)
of
(address and telephone number of accountant)

being a registered company auditor or a member of the Tonga Society of Accountants in public practice under the Companies Act 1995.

Please state qualifications and any organisation to which you belong
.....
.....
.....

I hereby certify that I have examined the financial and enrolment records of:

Name of school or association:.....

Address of school:.....

If a non-government school the name of the Managing Authority:.....

Address of Managing Authority:.....

Having done so I am satisfied that:

- (a) an amount equal to the sum of the amount of.....paid to the Managing Authority under section 4 of the Education Act (Cap. 86) or received from the Ministry for this school year; and
(b) an amount equal to monies collected by the school and received from all other sources, has been applied for the purpose of meeting recurrent expenditure in relation to one or more of the following:
• teaching and ancillary staff salaries;
• professional development of teachers;
• curriculum development;
• maintenance and general operation provisions;
• special Ministry or Managing Authority projects of:.....

(Delete whichever is inappropriate)

- (a) enrolment data is properly reported in the annual enrolment return;
or
- (b) I have sighted audited statements from a company auditor relating to the affairs of the schools that constitute this system of schools (list of schools attached) and those accountants have provided an opinion that the enrolment data provided to the Ministry in the annual enrolment return of non-government schools in relation to those schools is properly reported.

Signature of Accountant:..... Date:...../...../.....

Position:.....

Declaration

This document must be signed by a person who is authorised to sign on behalf of the Approved Managing Authority (i.e. by the school principal or the approved officer of a system). The person signing should indicate the position held.

I certify that the information provided in this certificate and in any attachments to this certificate are accurate.

Approved Managing Authority Signature:.....

Position:..... Date:...../...../.....

FORM L

FORM L
EDUCATION (SCHOOLS AND GENERAL PROVISIONS) REGULATIONS 2002
ANNUAL RETURN
(Regulation 15(3)(f))
(Print in block letters)

1. Name of school:.....
2. Location of school:.....
3. Numbers of students at each educational level:.....

Date:...../...../.....

Age	Pre school		Class 1		Class 2		Class 3		Class 4		Class 5		Class 6		Total
	Total	Repeaters	Total	Repeaters	Total	Repeaters	Total	Repeaters	Total	Repeaters	Total	Repeaters	Total	Repeaters	
5															
6															
7															
8															
9															
10															
11															
12															
13															
14															

9. Usable resources and equipment

Item	Number and Condition	Item	Number and Condition
1. Library books		2. Typewriters: Manual, Electronic	
3. Photocopiers		4. Ink duplicating machines	
5. Spirit duplicating machines		6. Computers (specify type and make)	
7. Computer printers (specify type and make)		8. Scanners (specify type and make)	
9. Printers (specify type and make)		10. Faxes (specify type and make)	
11. Projectors (specify type and make)		12. Cameras (specify type and make)	
13. VCRs (specify type and make)		14. Cupboards	
15. Movable bookcases and shelves		16. Desks	
17. Chairs and forms		18. Tables	
19. Vehicles, vans or tractors (specify type, make and year)		21. Agricultural equipment (specify)	
20. Industrial Arts equipment (specify)			
22. Science equipment (specify)		23. Music equipment (specify)	

24. Sports equipment (specify)		25. Other (specify)	

Signed:.....
Position:.....

Date:...../...../.....

FORM M

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002
FORM M
NOTIFICATION OF NOTIFIABLE DISEASES
(Regulation 15(4)(a))
(Print in block letters)

- 1. Name of school:.....
- 2. Location of school:.....
- 3. Principal Teacher or Manager:.....
- 4. Notifiable disease(s):.....
- 5. Number of children affected:.....
- 6. Conditions causing the infection:.....
.....
.....
.....

- 7. Actions to date:
 - (i) notification to Ministry or non-government Managing Authority
-when:...../...../..... who notified:.....
 - (ii) notification to appropriate health authority:
-when:...../...../..... who notified:.....
-Health Authority Officer's name:.....
 - (iii) notification to parents:
-when:...../...../..... who notified:.....
 - (iv) other actions taken:.....
.....
.....
-when:...../...../..... -by whom:.....

Signature:.....

Position:.....

Date:...../...../.....

(iii) Parents: Name:..... Date:...../...../.....

Name:..... Date:...../...../.....

(v) Others: Name:.....Position:..... Date:...../...../.....

..... :..... Date:...../...../.....

..... :..... Date:...../...../.....

..... :..... Date:...../...../.....

6. Comments or actions to resolve or rectify the situation:.....

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

7. Include Form G if necessary

Signed:.....

Position:..... Date:...../...../.....

Note: This report may be used in future investigations. Please be as accurate as possible.

6. To whom was the accident reported?

(i) Ministry or non-government Managing Authority:

Name:..... Date:...../...../.....

(ii) Police: Name:..... Date:...../...../.....

(iii) Town Officer or District Officer:

Name:..... Date:...../...../.....

(iv) Parents: Name:..... Date:...../...../.....

..... Date:...../...../.....

(v) Others: Name:..... Position:..... Date:...../...../.....

..... Date:...../...../.....

..... Date:...../...../.....

..... Date:...../...../.....

7. Name and address of two witnesses if available:

Name (in block letters):.....

Address:.....

Name (in block letters):.....

Address:.....

Signed:.....

Position:..... Date:...../...../.....

Note: This report may be used in future investigations. Please be as accurate as possible.

FORM P

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM P

MEDICAL AND DENTAL EXAMINATIONS
(PARENT PERMISSION)
(Regulation 18(2))

(Print in block letters)

Name of school:.....

Name of student:.....

Educational Level:.....

I.....consent for the above to be examined by a government
approved medical officer and a dental officer.

I understand that:

- (i) the results of this examination shall be confidential, and that they shall be held in the school records but that I can see them if I wish; and
- (ii) should my child transfer to another school these results shall be attached to the transfer form.

I have been told in writing:

- | | |
|--|--------|
| (i) the date of the examinations | Yes/No |
| (ii) what the medical officer shall be examining my child for | Yes/No |
| (iii) if there is a need for further treatment I shall be informed | Yes/No |
| (iv) the results of the tests shall be private and kept at school | Yes/No |

Parents signature:..... Date:...../...../.....

FORM Q

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002
FORM Q
FAILURE TO ENROL OR ABSENCE FROM SCHOOL
(Regulation 35(2))
(Print in block letters)

.....
.....
.....
.....

Dear.....

It has come to the attention of this school that....., a child in your care is not enrolled or does not attend school.

Children of 6 to 14 years of age are required by Law to attend school.

Explain in writing within 2 weeks why this student is not enrolled or is not attending school.

Yours sincerely

Signature:.....

School Attendance Officer

Date:...../...../.....

FORM R

EDUCATION ACT (CAP. 86)

EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM R

STUDENT TRANSFER

(Regulation 46(2)(a))

(Print in block letters)

1. Name of student: Class or Form:.....
2. Name of school:
3. Name of Proposed new school:
4. School fees paid:

Term 1	Term 2	Term 3	Term 4 (where applicable)

5. Internal assessment and evaluation of student where applicable / or attach copies:

Subject	Assessment and evaluation

6. Grades where applicable:

Subject	Grade	Comment (if necessary)

7. Subject exemptions:
8. Recommended level of entry to new school:

9. Principal Teacher or Manager's comments:

.....

.....

.....

.....

.....

.....

.....

.....

.....

Principal Teacher or Manager's signature: Date:...../...../.....

10. Any condition or circumstances relating to this transfer (to be completed by authorised officers of the Ministry personnel or non-government Managing Authority personnel, if required.)

.....

.....

.....

.....

.....

.....

.....

Signature:

Name:

Position:

Date:/...../.....

Attached:

Medical and dental recordyes/no

FORM S

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM S

APPLICATION TO TEACH IN SCHOOLS

(Regulation 48(1)(b))

(Print in block letters)

1. Name:.....
2. Contact address:..... Telephone:.....
.....
.....
3. (i) Male:...../Female:..... (ii) Marital status:single
(iii) Number of dependents:.....
4. Qualifications (please attach certified copies)

Institution	Qualification	Year qualification awarded

5. Areas of teaching expertise and experience

Areas of teaching expertise	Experience

6. Other qualifications to support application:.....
.....
.....
7. Preferred locations to teach: (i)
(ii)
(iii)
8. Have you ever been convicted under any of the following circumstances?
(Tick the appropriate column).

- | | Yes / No |
|--|-------------|
| (a) sexual offences of whatever description; or |/..... |
| (b) assault, bodily harm or grievous bodily harm; or |/..... |
| (c) obscenity of whatever description; or |/..... |
| (d) fraud or similar offences; or |/..... |
| (e) imprisonment for any criminal offences; or |/..... |
| (f) supplying drugs to any person; or |/..... |
| (g) supplying intoxication beverages to any child under the age of sixteen years; or |/..... |
| (g) being a male or female prostitute. |/..... |
9. Please include a medical certificate in accordance with current government practice.
10. I hereby state that the details on this form are true and correct.

Signature:.....

Date:...../...../.....

Name 3 referees and their current contact point (address, E-mail, fax, and phone).

- | | |
|-------------|------------|
| (i) | (ii) |
| | |
| | |
| | |
| (iii) | |
| | |
| | |
| | |

FOR HEAD OFFICE

Endorsed..... Not endorsed..... Date:...../...../.....

Reasons:.....
.....
.....

Recommendation:.....

Signature:.....

Position:.....

Approved:..... Not approved:.....

Minister:..... Date:...../...../.....

Reasons for non approval:

FORM T

EDUCATION ACT (CAP. 86)

EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM T

APPOINTMENT TO TEACH IN A GOVERNMENT SCHOOL
(Regulation 49(6))

(Print in block letters)

Ref:.....

Date:...../...../.....

.....
.....
.....

Dear.....

I wish to inform you that the Hon. Minister has approved for your appointment to the post of.....at a commencing salary of.....per annum in the salary scale of.....as from the.....day of.....

Your appointment shall be initially for a probationary period of one (1) year from the date of your assumption of duty. The initial probationary period may be varied by the Minister. On satisfactory completion of probationary service and an assessment by authorised officers of the Ministry, your appointment shall be confirmed. If, at the completion of the probationary period, your performance is considered unsatisfactory, your appointment may be terminated. Notice shall be one(1) month for junior officers and three (3) month's notice for senior officers or the payment of salary in lieu of notice.

You shall be subject to the provisions of the *Education Act and Education (Schools and General Provisions) Regulations 2002*, and any other rules, regulations, and instructions relating to the teaching service. You will be liable to posting to any school in the Kingdom as the Minister deems fit.

Appointments to the government service are subject to the officer being found medically fit for service by a government approved medical officer. Complete the attached acceptance statement so that an appointment with a government approved medical officer may be made. Your appointment shall be subject to medical fitness.

Yours sincerely

.....
for Director of Education

Attached: Form U

FORM U

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM U

ACCEPTANCE TO TEACH IN GOVERNMENT SCHOOL
(Regulation 49(6))

(Print in block letters)

Director of Education
Ministry of Education
PO Box 61
Nuku'alofa
TONGA.

Dear Sir/Madam

I hereby accept the appointment offered of a teaching post to teach.....
educational levels at.....School, commencing on.....

I hereby agree to abide by the *Education Act* and *Education (Schools and General Provisions) Regulations 2002*, and any other rules, regulations, and instructions, relating to the teaching service. I understand that this acceptance depends on whether I am found to be medically fit by a government approved medical officer and therefore agree to undergo a medical examination.

Yours faithfully

WITNESS

Signature:..... Signature:.....

Date:...../...../..... Date:...../...../.....

FOR MEDICAL OFFICER USE

Medically fit:Yes /No Medical officer:.....

Name (block letters).....

Date:...../...../.....

Medical certificate attached.

FORM V

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM V

APPEAL AGAINST A TEACHER TRANSFER
(Regulation 49(9))

(Print in block letters)

1. Name:.....
 2. Contact address:..... Telephone:.....
.....
.....
 3. Current school:.....
 4. Position:.....
 5. Subjects and educational levels taught:.....
.....
.....
 6. Other school responsibilities:.....
.....
 7. Proposed school for transfer:.....
 8. Reasons why transfer is not acceptable:.....
.....
.....
 9. Preferred options:
 - (i) Remain at existing school:Yes /No
 - (ii) Options: 1.
or 2.
or 3.
- Signature:..... Date:...../...../.....

FOR HEAD OFFICE USE

Background:.....
.....
.....

Recommendation:.....
.....
.....

Signature:.....

Position:.....

Approved:.....

Not approved:.....

.....
Minister

Date:...../...../.....

Reasons for non approval:

FORM W

EDUCATION ACT (CAP. 86)
EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002

FORM W

GOVERNMENT OF THE KINGDOM OF TONGA SCHOLARSHIP
(Regulation 49(10))

(Print in block letters)

THIS AGREEMENT is made this.....day of....., in the year.....,

BETWEEN

THE GOVERNMENT OF THE KINGDOM OF TONGA, (hereinafter referred to as 'the Government'), and.....
.

A person who has been awarded a Government scholarship (hereinafter referred to as 'the Awardee'), and

1. of
.....
2. of
.....

two persons who agree to guarantee the performance of the obligations of the Awardee under this Agreement (hereinafter referred to as 'Guarantors').

WHEREFORE, the parties agree on the following terms:

PART 1: GENERAL TERMS

1. The scholarship awarded by the Government (through the Scholarships Committee) to the Awardee shall be a Government scholarship regardless of the source of the fund used.
2. An Awardee must be sponsored, by a Government department or recognised business or any other recognised organisation that is approved by Government.
3. This Agreement shall be binding on all parties from the date of commencement until all obligations thereunder have been fulfilled.
4. In the event that the Awardee fails to comply with scholarship obligations the Government may enforce this Agreement against the Awardee or the Guarantors or any one of them. This is without prejudice to the right of Government to enforce this Agreement against the Awardee at any time.

5. The Guarantors may be the parents of the Awardee or be persons who are related or known to the Awardee, and who in turn knows the Awardee; persons of good stature and character in the society; or registered business or recognised organisations; accepted by Government to be the Guarantors. In the event that any of the Guarantors die or cease to exist during the duration of this Agreement the Awardee shall nominate another Guarantor and in failing to do so the scholarship may be terminated and obligations hereunder become enforceable immediately or repayable in full. It is the duty of the Awardee to inform Government (through the Scholarships Committee) of any change in the status of any of the Guarantors.
6. The Guarantors shall be jointly and severally liable under this Agreement.
7. All parties shall retain a copy of this Agreement.
8. The following terms have the meanings attributed hereunder;

'Scholarship' means receiving education free or at a reduced cost, includes any fellowship, foundation, grant, bursary, award, short course, placement or training programme. These scholarships shall be taken as those exceeding six months;

'Scholarships Committee' means the committee formed under section 41 of the *Education Act* (Cap. 86);

'Sponsor' means a Government department or any organisation who has been identified by Government (through the Scholarships Committee) and agreed to employ the Awardee on the completion of the Course. 'Sponsored' has a corresponding meaning.

PART II: OBLIGATIONS OF THE GOVERNMENT

1. The Government and its representatives hereby agree to arrange and secure for and on behalf of the Awardee and meet all or part of the expenses in respect of:
 - (a) international transportation, internal transportation (where applicable), accommodation, maintenance allowances and immigration permits to.....(hereinafter referred to as 'the Country');
 - (b) training in an educational institution in the Country for the purposes of undertaking and completing a course in.....(hereinafter referred to as 'the Course') at.....(hereinafter referred to as 'the Educational Institution');
 - (c) entrance, tuition, examination fees and book allowances in respect of the Course at the Educational Institution;
 - (d) transportation from the Country to Tonga at the completion of the Course (where applicable).

2. The Government may provide additional financial support by way of salary or allowances in some situations.
3. Upon the return of the Awardee to Tonga at the successful completion of the Course, the Government shall provide the following:
 - (a) employ or arrange the employment of the Awardee in the Civil Service (if the Awardee is sponsored by a Government department) or inform the Awardee's sponsor of the Awardee's availability for employment (if the Awardee is sponsored by anyone other than a Government department);
 - (b) secure a salary in respect of such employment in (a) if the Awardee is sponsored by a Government department, and at a salary scale no less favourable than are held by persons with similar qualifications and experiences in the work place where employment is obtained.
4. Should an Awardee not successfully complete the agreed course of study, the Government shall recover monies equalling the total amount including salary and allowances allocated to the Awardee or an amount considered as an adequate recompense.

PART III: OBLIGATIONS OF THE AWARDEE

1. The Awardee hereby agrees to the following:
 - (a) to be at the disposal of the Government from the date of this Agreement until all obligations thereunder are compiled with;
 - (b) well and truly apply to the duties, studies, and training required for the successful completion of the Course;
 - (c) any change of the Course undertaken by the Awardee cannot be made without the approval (through the Scholarship Committee) of Government and the sponsoring Ministry, or registered business or approved organisation;
 - (d) provide to Government through the Scholarships Committee a transcript of exam results as soon as they are available; and in failing to do so shall render the Agreement void and the Government shall recover all sums of money allocated to the Awardee or adequate recompense;
 - (e) comply with the rules of conduct and behaviour ordinarily required of representatives of Tonga;
 - (f) successfully complete the Course within a specified time;
 - (g) return to Tonga;
 - (h) accept employment secured for a minimum period equivalent to the period taken to complete the Course.

2. On refusal to accept the employment secured or upon failure to complete the minimum period required to be employed as stated in Clause 1(h), the Awardee shall reimburse to the Government all sums of money which the Government has or deemed to have provided in the pursuance of the terms of this Agreement, such amount to be computed on a pro rata basis if the Awardee has partly complied with his employment obligation.
3. (i) If the Awardee is an employee in the Civil Service the Awardee shall sign Bond Form 'A' and Bond Form 'B' both of which are attached hereto, and setting out additional obligations forming part of this Agreement.

(ii) If the Awardee is an employee of the sponsor (which is not a Government department) the Awardee shall sign Bond Form 'C', attached hereto and setting out additional obligations forming part of this Agreement.
4. In the event that the Awardee fails in any examination sat towards the completion of the Course, the Government may at its discretion:
 - (a) return the Awardee to Tonga and may employ or arrange employment for the Awardee at such a salary and scale which shall not be less favourable than are held by persons doing similar work for a period equal to the time the Awardee has been on scholarship; or
 - (b) require the Awardee to reimburse funds as deemed appropriate.
5. The Government may at its discretion require repayment of some or all of the sums of money deemed to have been provided for this scholarship.
6. The Awardee agrees to provide two Guarantors to be parties to this Agreement to guarantee the performance of the obligations of the Awardee outlined in this Agreement.

PART IV: OBLIGATIONS OF THE GUARANTORS

1. The Guarantors agree that in the event of the Awardee failing to fulfill obligations under this Agreement, the Guarantors or either of them pay upon demand all outstanding amounts payable to Government under this Agreement within agreed times and conditions.
2. If the Awardee is employed and receives a salary (or part thereof) and/or allowances while on scholarship, the Guarantors agree to repay to Government in addition to the amounts payable under 1, all salaries and/or allowances paid to the Awardee while attending the Course, irrespective of who paid such salary. If such salary was provide by a sponsor other than a Government department then Government will pass on such recovered amount to that sponsor.

IN WITNESS WHEREOF the above named Parties to this Agreement hereunto set their hands and seal on the day and year first above written

Signed for the Government by:

In the presence of:

BOND FORM 'A'

**AGREEMENT TO RETURN TO THE CIVIL SERVICE AFTER
TRAINING OR STUDY LEAVE OVERSEAS OR IN TONGA**

(Please print in block letters)

1. I understand the Government of Tonga is prepared to release me to attend a course of study of:
.....
at.....commencing
.....for the period.....
at the end of which time, I hope to qualify for.....
2. I understand that my continuation in the course shall depend on satisfactory progress.
3. I agree to apply myself conscientiously these studies, and not to withdraw from them without the agreement of the Government or the donor (through the Scholarships Committee)
4. I understand that after the completion of training, I shall return to an appropriate Civil Service post.
5. I also agree that I shall remain in the Civil Service for a minimum period equivalent to the period which is required for the completion of the course.

Dated this.....day of.....

.....
(Awardee's signature)

.....
(For and on behalf of the Government)

Position:.....

.....
Witness

.....
Witness

BOND FORM 'B'

**AGREEMENT TO REPAY SALARY AND ALLOWANCES
PROVIDED WHILE UNDERTAKING EDUCATION OR TRAINING
OVERSEAS OR IN TONGA**

(Please print in block letters)

1. In consideration of the Government allowing me to attend the overseas or Tongan course of:.....
.....at.....
.....and paying my full salary during the period of the course if
12 months or less, or otherwise as follows:-
- 50% in the first year
 - 25% in the second year;
 - and no salary after the second year;
 - and/or including any allowances.

2. My current salary is.....

3. I.....
hereby agree and undertake that:-

- (a) I shall use my best endeavours to complete the course.
- (b) If, without consent to the Government in writing, I:
 - (i) am dismissed or discharged from my course of study; or
 - (ii) am dismissed or discharged from the Civil Service; or
 - (iii) fail to complete my course of study; or
 - (iv) leave the approved employment in the Civil Service before the expiration of a minimum period equivalent to the period which is required for the completion of the course;

I shall, if required to do so, pay to the Government an amount equal to the total cost of salary and/or allowances paid by the Government while I was attending the course or any lesser amount that may be required. Such amount is to be paid in regular monthly payments or as Government sees fit until the liability is discharged.

Dated this.....day of.....

.....
(Awardee's signature)

.....
(For and on behalf of the Government)

Position:.....

.....
Witness

.....
Witness

BOND FORM 'C'

**AGREEMENT TO RETURN TO EMPLOYER (OTHER THAN THE
CIVIL SERVICE) AFTER BEING ON SCHOLARSHIP AND TO RE-
PAY SALARY PAID WHILE ON SCHOLARSHIP OVERSEAS OR IN
TONGA**

(Please print in block letters)

1. I....., understand that my employer, is prepared to allow me to receive my salary as follows:.....while I am attending the overseas course.....
at.....
.....
commencing.....for the period.....
at the end of which time, I hope to qualify for.....
2. I understand that my continuation in the course shall depend on satisfactory progress.
3. I agree to apply myself conscientiously to these studies, and not to withdraw from them without the agreement through the Scholarships Committee of the Government and the donor and the sponsor.
4. After completion of training I shall return to my post,.....
5. I also agree that on my return I shall remain in the employment of my employer....., for a minimum period equivalent to the period which is required for the completion of the Course.
6. I further agree, that if I fail to carry out the obligation under paragraph 5 and if required to do so, to pay to the Government for onward passing to my employer an amount equal to the total cost of salary and/or allowances paid by my employer to me while I was attending the Course or any lesser amount that may be required. Such amount is to be paid in regular monthly payments or as Government sees fit until the liability is discharged.

Dated this.....day of.....

..... (Awardee's signature)	..... Witness
..... (for the Awardee's Employer)	..... Witness
..... (for and on behalf of Government)	..... Witness

5. To whom was the incident reported:

(i) Police: Name:..... Date:...../...../.....

(ii) Town Officer/District Officer:

Name:..... Date:...../...../.....

(iii) Parents: Name:..... Date:...../...../.....

Name:..... Date:...../...../.....

(v) Others: Name:.....Position:..... Date:...../...../.....

..... :..... Date:...../...../.....

..... :..... Date:...../...../.....

..... :..... Date:...../...../.....

6. Comments or action to resolve or rectify the situation:.....

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

7. Include Form G if necessary

Signed:.....

Position:.....

Date:...../...../.....

Note: This report may be used in future investigations. Please be as accurate as possible.

SCHEDULE A**EDUCATION ACT (CAP. 86)****EDUCATION (SCHOOLS AND GENERAL PROVISIONS)
REGULATIONS 2002****SCHEDULE A****PROCESS FOR THE ESTABLISHMENT OF A SCHOOL
(Regulation 4(3))****Phase 1**

1. An application to establish a new school shall be submitted in Form A to the Minister. The Minister shall refer the application to the Advisory Council.
2. The new school system authority shall apply to the Minister of Works and Minister of Health for approval of the school building.

Phase 2

3. The Minister and Advisory Council may approve the establishment of the school upon approval of the school building by the Minister of Works and the Minister of Health.
4. If the application is not approved:
 - (a) the Minister and Advisory Council shall give reasons why approval is not recommended; and
 - (b) the school authority may re-apply after a period of one month.
5. The approval process shall be completed within 3 months.
6. On completion, the building shall be inspected by the Ministry of Works and the Ministry of Health.
7. Certificates of completion shall be issued according to Ministry of Works and the Ministry of Lands, Survey and Natural Resources requirements.

Phase 3

8. The new school shall commence operation by the end of January.
9. Before the end of term 2 of that year, authorised officers of the Ministry shall assess whether the school fulfills registration requirements.
10. Authorised officers of the Ministry shall advise the Minister within 3 months of operation whether to:
 - (a) register the school; or
 - (b) extend provisional approval for one term.

11. The Minister shall inform the school of the decision. On gazetting the school it shall be entered into the register of schools required under section 57 of the Education Act.
12. Schools with extended provisional approval shall be re-assessed by the end of term 3 with a recommendation for:
 - (a) registration;
 - (b) further extension; or
 - (c) registration not to be granted.
13. Schools with a second extension must gain approval to register by the end of the first year of operation.

Phase 4

14. Authorised officers of the Ministry and the non-government Managing Authority where appropriate shall review the school within term one of the second year of operation to ascertain the quality of educational delivery.
15. Any areas of concern shall be rectified by the end of the same year.