



Government of the Republic of Trinidad and Tobago

MINISTRY OF EDUCATION

PRIVATE SCHOOL REGISTRATION POLICY 2023 - 2027

March 2023





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**Policy for the
Registration of Private Schools
in
Trinidad & Tobago**

February 2023

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1.0 INTRODUCTION

Section 11(6) of the Education Act, Chap. 39:01 defines a private school *as a school provided and maintained by some person or authority other than the Government*. Section 30 states that:

Subject to this Act, no person shall keep or continue to keep a private school unless the school and the proprietor are registered in the Registrar of Schools required to be kept under this Act.

1.1. Purpose

The purpose of this policy is to stipulate the requirements for the registration of Private Schools and to ensure that proprietors, principals and teachers are equipped with the guidance as it relates to the policies, procedures and legislative requirements for the operation of Private Schools in Trinidad and Tobago.

1.2. Scope

This policy shall apply to private primary, secondary and special schools and Early Childhood Care and Education (ECCE) centres. It seeks to ensure compliance with statutory requirements and Ministry guidelines for the holistic development and protection of the students.

2.0 LEGISLATIVE GUIDELINES

Proprietors of private schools are bound by the laws of Trinidad and Tobago in particular, the Education Act, Chap. 39:01, the Occupational Safety and Health Act, Chap. 88:08 and the Children's Community Residences, Foster Care and Nurseries Act, 2000 and other pieces of legislation relating to the welfare and safety of children.

The Minister of Education, pursuant to Section 85 of the Act, is empowered to regulate the operation of Private Schools within Trinidad and Tobago. In this regard, pursuant to Section 85(6) of the Act, the Minister may make Regulations for the control and management of Private Schools, more specifically as it refers to the following:

- i. The size of the classrooms and their equipment;
- ii. The number of children that may occupy each classroom;
- iii. The necessary toilet facilities to be provided;
- iv. The safety, preservation of health, and the prevention of the spread of disease among students;
- v. The registers and other records to be kept by Proprietors of Private Schools, said particulars to be provided to the Minister;
- vi. The suitability of the premises;
- vii. The suitability of the curriculum and courses and methods of instruction; and
- viii. Generally, for more effectively carrying out the provisions of this Act respecting Private Schools.

2.1 Penalties under the Education Act

Section 35

No person shall be employed in a private school as a teacher or act as a teacher therein, unless his name is registered on the Teachers' Register.

Section 36

(1) A proprietor of a private school who—

(a) fails to furnish the returns required by this Act or the Regulations, and in the manner so required;

(b) furnishes a return which he knows or ought reasonably to have known to be false or misleading in a material particular; or

(c) knowingly employs as a teacher any person who is disqualified under section 35 to act as such, or permits such person to act as a teacher,

is liable on summary conviction to a fine of one hundred and fifty dollars and in the case of a second or subsequent offence is liable to a fine of three hundred dollars and for any continuing offence under paragraph (c) to a further fine of thirty dollars for each day on which the offence continues after conviction therefor.

(2) Notwithstanding section 33, where a proprietor is convicted of an offence under subsection (1), the registration of the school is liable to be cancelled from the

expiration of the time for appealing against conviction therefor if no appeal against such conviction has been made or as from the dismissal of the appeal, as the case may be.

(3) A person who is disqualified under section 35 and with knowledge of the disqualification acts as a teacher in a private school is liable, on summary conviction, to a fine of one hundred and fifty dollars.

Section 37

(1) The Minister, or any public officer deputed by him in writing to act as his representative, may enter any premises wherein a private school is being conducted, at any reasonable time during school hours, for the purpose of making enquiries and discharging such duties as may be imposed on him by this Act or by the Regulations.

(2) A person who—

(a) obstructs or resists the Minister or any such officer in the performance of his duties; or

(b) willfully makes any false representation to the Minister or any such officer; or

(c) willfully refuses to furnish the Minister or any such officer with any information which such person may be required to furnish by this Act or the Regulations,

is liable, on summary conviction, to a fine of one hundred and fifty dollars.

3.0 OTHER REQUIREMENTS

3.1. Proprietors of private schools must ensure:

- i. that no-one is employed who is prohibited from working with children;
- ii. that no-one is employed who is not allowed to work in Trinidad and Tobago;
- iii. suitable toilet and washing facilities for the sole use of pupils;
- iv. suitable changing accommodation and showers for pupils aged 11 years or over who receive physical education;

- v. suitable accommodation for the medical and therapy needs of pupils;
- vi. suitable drinking water facilities;
- vii. suitable outdoor space in order to enable physical education in accordance with the school curriculum and pupils to be able to play outside; and
- viii. Regular maintenance of school equipment such as gym equipment and swimming pools and appropriate systems and staff to guarantee the safety of pupils.

4.0 REGISTRATION

4.1. Registration Procedure

A. Step 1: Fill out the Application Form

The provider can complete the online Application Form for Registration of a Private School or ECCE centre from the following website: www.moe.gov.tt

B. Step 2: Obtain Statutory Approvals

- i. Water and Sewerage Authority (WASA) –
 - *Completion certificate for internal plumbing system*
- ii. Electrical Inspectorate (Public Utilities Commission) –
 - *Inspection Certificate of Approval in accordance with the [Electricity Inspection Act, Chap 54:72]*
- iii. Trinidad and Tobago Fire Service –
 - *Inspection of Premises for Certification (Fire Service Act, Chapter 35:50)*
- iv. Ministry of Health –
 - *Sanitary and aesthetic conditions of the premises inspected in compliance with the Public Health Ordinance Chapter 12, No. 4.*
- v. Ministry of Planning and Development, Town and Country Planning Division - Town and Country Planning approval

C. Step 3: Supply Necessary Documents

- i. If the proprietor is an individual:

- The proprietor’s full name and any previous names, residential address, telephone number, email address, date of birth and national insurance number.
- ii. Where the proprietor is a corporate body or unincorporated:
 - The proprietor’s name and the address, telephone number and email address of its registered office; and
 - Names of members of the board of directors.
 - iii. Information on the number of classes per year group, the proposed class size, positions, and number of personnel in each position. At the ECCE level the number of groups, based on the teacher to child ratio as follows:
 - 2 - 3 years 1 teacher : 6 children
 - 3 - 4+ years 1 teacher : 15 children
 - iv. List of teachers and their relevant qualifications (all primary/secondary school teachers employed within a private primary/secondary school must be registered with the Ministry of Education).
 - v. Class and Teacher time-tables (a daily schedule for the ECCE level).
 - vi. A listing of all curricular activities and the curriculum to be followed. These must take into account the ages and aptitudes of the students and therefore should cover all year groups at the school;
 - vii. A plan showing the layout of the school premises;
 - viii. Framework for the evaluation of pupils’ performance;
 - ix. Policy on behavior, setting out amongst other matters, the sanctions to be adopted in the event of pupil misbehavior (refer to the National School Discipline Matrix)
 - x. Particulars of the school’s arrangements to safeguard and promote the welfare of pupils at the school;
 - xi. Particulars of the school’s arrangements to ensure that relevant health and safety laws are complied with;
 - xii. Procedure for the handling of complaints from parents of pupils.
 - xiii. Police Certificate of good character.
 - xiv. Certificate of Business Registration from the Companies Registry, Registrar General’s Department and Ministry of Legal Affairs.

- xv. Notification given to Children’s Authority – A proprietor managing or intending to manage a nursery or day care on the premises of a school or ECCE centre is required to notify the Children’s Authority of Trinidad and Tobago in writing and a copy of the letter of intent be provided upon registration.

D. Step 4: Submit Completed Forms

Completed Application Forms with all supporting documents must be submitted via the link available on the Ministry of Education’s Website at www.moe.gov.tt.

Incomplete applications or applications, which do not include all the necessary documentation, will not be considered.

E. Step 5: Conduct of Site Visit

A site/validation visit to the location is conducted by personnel from the relevant divisions of the Ministry of Education to facilitate thorough consideration of the application.

F. Step 6: Issue Certificate of Registration

Subject to the fulfillment of all the conditions of registration, a Certificate of Registration shall be issued within six (6) weeks of submission of a complete application.

4.2. Certificate of Registration

- Upon successful registration, a Certificate of Registration should be issued and the establishment shall be recorded on the Register of Private Schools.
- An electronic Certificate of Registration shall also be issued which shall bear an identifying number, a seal, a QR code, and which shall show the date from which the registration is effective.
- The Certificate of Registration, having been issued electronically, may also be revoked electronically.
- A registered private school shall ensure that the Certificate of Registration is displayed in public view within the institution.
- A certified copy of the Register shall be published in the Gazette, as well as any additions or amendments thereto as occasion requires.

- The register shall also be made available on the Ministry's website.

4.3. Unsuccessful Applications

If an application is unsuccessful, the Ministry shall issue correspondence setting out the reasons for rejecting the application. An application may be re-submitted, but should only be done once the institution is in a position to show that the school is likely to meet the stipulated standards. The Ministry may then reconsider the application.

5.0 MORATORIUM

- 5.1.** A moratorium of three (3) years from the date within which the policy takes effect, shall be granted to proprietors of existing private schools to allow them to meet the requirements of this policy.
- 5.2.** Persons employed as teachers within private schools and are unregistered will be granted a moratorium of three (3) years from the date the policy takes effect, in order to obtain the primary requirements for registration as a teacher by the Ministry of Education.
- 5.3.** Failure to meet the stated requirements without reasonable cause, will result in de-registration.
- 5.4.** Prospective / new proprietors must meet all requirements in order to be registered.

6.0 CANCELLATION OF REGISTRATION

- 6.1.** If a registered private school ceases to operate in accordance with the Act and this policy, the Ministry may require the proprietor to submit an action plan to rectify the deficiencies within a specified period of time. The Ministry may approve the action plan, with or without modifications, or subject to conditions deemed necessary by the Ministry.

- 6.2. Where the identified deficiencies have not been rectified within the timeframe approved by the Ministry, the registration of the school may be cancelled upon giving a notice of three (3) months thereof to the proprietor.
- 6.3. A school whose registration has been duly cancelled must cease to operate from the date of such cancellation.
- 6.4. Upon receipt of the notice of cancellation, the proprietor of the school may appeal to a court of summary jurisdiction in the manner prescribed in Section 33 of the Act.
- 6.5. Where an appeal is dismissed, cancellation of registration shall take effect from the date of the order or upon the expiration of the notice referred to at 6.2, whichever is the later.

7.0 ANNUAL INFORMATION TO BE PROVIDED BY PROPRIETORS

- 7.1. September of each year proprietors shall submit the following documents in respect of the previous school year, containing the following particulars:
 - i. The number of days during which the school was opened;
 - ii. The number of pupils on roll at the end of the school year;
 - iii. The average attendance for the school year; and
 - iv. The percentage of attendance of the total possible attendances for the pupils on roll.

7.2. Annual Statistical Return (ASR)

- i. Proprietors shall be required to submit the Annual Statistical Return (ASR), that reflect students' and teachers data **as at November 30** (deadline date for submission will be communicated by the Ministry of Education)

ii. ASR data must be submitted to the Educational Planning Division at edustats@moe.gov.tt; and the Educational District Office in which the school is located:

- Caroni caronidistrict@moe.gov.tt
- North Eastern need.district@moe.gov.tt
- Port of Spain and Environs posdistrict@moe.gov.tt
- St. George East stgeorgeeastdistrict@moe.gov.tt
- St. Patrick stpatrickdistrict@moe.gov.tt
- South Eastern southeasterndistrict@moe.gov.tt
- Victoria victoriaeducationdistrict@moe.gov.tt
- Tobago administrator@thadert.gov.tt

7.3. Should a school remain closed for longer than thirty (30) consecutive days, save and except for holidays not exceeding twelve (12) weeks in any one year, the proprietor shall furnish the Ministry with a supplemental return giving the reasons for the closing of the school and the period the school is likely to remain closed. If the proprietor subsequently desires to reopen the school, a new return containing the particulars referred to at 6.3 above shall be submitted before the school is reopened. The registration of a private school that remains closed for longer than a period of one (1) year shall be deemed to have been cancelled.

8.0 CHANGE OF INFORMATION

8.1. Whenever there is any change in the ownership or location of a school, or any modification in respect of any of the prescribed particulars, the proprietor shall immediately furnish the Ministry with a supplemental return containing the correct particulars.

- 8.2.** The Ministry of Education may request an inspection to inform its decision relating to any material change. A material change will not normally be approved if a school is at the time subject to regulatory action because it was not meeting the standards relevant to the material change in question. A material change is:
- i. a change of proprietor (this does not include a change of chairman of a proprietor body when the body itself is not changing);
 - ii. a change of school address;
 - iii. a change in the age range of pupils;
 - iv. a change to the maximum number of pupils; and
 - v. a change to admit boys only, or girls only, or become co-educational.
- 8.3.** An application for approval for any material change must be made by the proprietor or in the case of a change of proprietor, by the proposed new proprietor. Applications may be made online via the Ministry of Education’s website.
- 8.4.** Where a material change is made without seeking approval, the Ministry may remove the school from the Register of Private Schools.
- 8.5.** Relocation voids the registration of a school. The proprietor shall be required to reapply for registration, such application to be considered by the Ministry in the context of the Act and this policy.

9.0 MONITORING AND ENFORCEMENT

The Ministry shall establish a Monitoring and Evaluation Unit to, inter alia,

- i. develop procedures for implementation and monitoring of this policy;
- ii. assist in the assessment of applications for registration of private schools;
- iii. conduct regular site visits to private schools to ensure compliance with the conditions of registration;

- iv. where applicable, recommendations for the institution of corrective measures or de-registration, on the invoking of penalties under the Education Act;
- v. ensure that the Ministry of Education adheres to its obligations under the Education Act and this policy as they relate to private schools.

10.0 REVIEW OF POLICY

This policy shall be reviewed every three (3) years to ensure alignment with evolving trends, challenges and opportunities within the education sector.