

REPUBLIC OF SOUTH SUDAN
Ministry of General Education and Instruction
Office of the Minister

Our Ref: RSS/MoGE&I/OM/J/33/3-

Date: 31 October 2017

Ministerial Order No. 19/2017

Subject: Establishment and Management of Private Schools in the Republic of South Sudan

In accordance with the powers conferred upon me under Article 114 (1) of **The Transitional Constitution of the Republic of South Sudan, 2011, (Amended 2016)**, and Section 21(b) read together with Section 8(1)(a) and Section 34 of **The General Education Act, 2012**, I, Deng Deng Hoc Yai, Minister of General Education and Instruction, Republic of South Sudan, do hereby issue this Ministerial Order No. 19/2017 on **Establishment and Management of Private Schools in the Republic of South Sudan**, hereafter referred to as the Ministerial Order or simply as the Order, with effect from the date of the signing of this Ministerial Order as follows:

1. Title and Commencement

This Ministerial Order may be cited as the "**The Ministerial Order on Private Schools, 2017**", hereafter abbreviated as "the Ministerial Order", and shall come into force on the date of its signature by the Minister.

2. Repeal and Saving

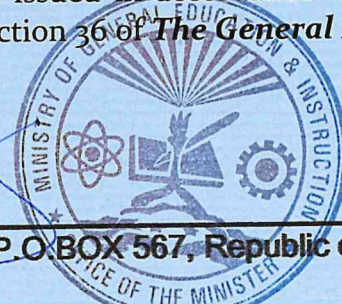
Any existing rules and regulations in the Republic of South Sudan that govern the same matters as set forth in this Ministerial Order are hereby repealed.

3. Purpose

The purpose of this Ministerial Order is to provide for a regulatory framework for the establishment and operation of private schools in the Republic of South Sudan. The Ministerial Order provides for the minimum quality standards that shall be met for a private school to register and operate and, if not met, such standards shall also be the basis for closure and de-registration of a private school.

4. Authority and Application

These Ministerial Order are issued in accordance with Section 21(b) (iv) read together with Section 8(a)(vii) and Section 36 of **The General Education Act, 2012**.



5. Interpretations

In this Bill unless the context otherwise requires, the following words and expressions shall have the meanings assigned to them respectively:

“**Academic Year**” means the School year commencing on the first School day and ending on the last School day of that School year;

“**Board of Governors**” means the governing body of a Secondary School;

“**Community**” means a group of and institutions that are within the locality of a school or are related to the school.

“**Compulsory School age**” means the ages prescribed by the Ministry of Education, during which Learners are obliged to attend School in accordance with this Bill;

“**Compulsory South Sudan Education Service**” means a compulsory duty of education service to be undertaken by all students who pass their Secondary School Certificate and are not accepted to higher institutions of learning who are bound to join teaching until they get scholarship or get absorbed into tertiary or university education;

“**Corporal Punishment**” means any punishment in which physical force is used and intended to cause some degree of pain or discomfort.

“**Ministry of General Education**” means the National Ministry with responsibility over general education;

“**Government**” means the National Government of the Republic of South Sudan;

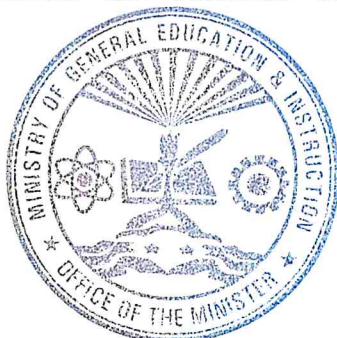
“**Headteacher**” means the Senior Teacher responsible for the administration of a School;

“**Higher Education**” means a post-secondary education where knowledge and skills are imparted and acquired for a particular function that leads to an award of a diploma or degree;

“**Learner**” any person who is in process of learning

“**Minister**” means the National Minister of General Education and Instruction;

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“Ministry” means the National Ministry of General Education and Instruction;

“National Languages” refers to all indigenous languages of the Republic of South Sudan;

“Parent” means the parent or guardian of a Learner or the person legally entitled to custody of a Learner who undertakes to fulfil the obligations of the Learner;

“Pre-Primary Education” means education beginning from the age of three, which comprises two years of early childhood education prior to Primary Education;

“Primary Education” means education beginning from the age of five or six years, which comprises eight years from primary one through primary eight;

“Private School” means a School owned by individual(s), an organization or a company and is not funded by the government.

“Public School” means a School managed and funded by the Government;

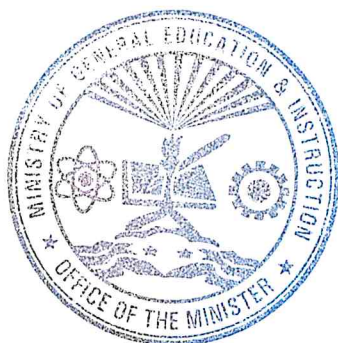
“Special Needs Education” means education provided in a school for learners who have needs which require special educational provision so that they can learn to the best of their abilities;

“Technical and Vocational Education and Training” means an education or training related to technical, scientific, industrial or vocational learning in a School or a technical institution;

“Technical School” means an educational institution that provides, in addition to academic subjects, knowledge and skills in technical, scientific, industrial or vocational areas; and

“Undersecretary” means the Undersecretary of the national Ministry of General Education and Instruction.

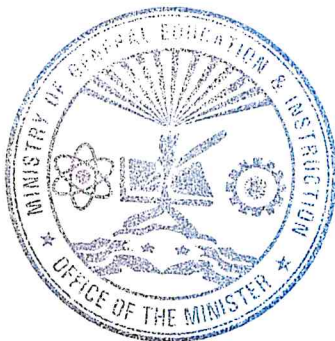
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6. Minimum Quality Standards

1. The following are the minimum standards related to the quality of education that shall be provided at a private school -
 - (a) The proprietor of a private school shall implement the National Curriculum.
 - (b) In conformity with Sub-section (1)(a) above, the Proprietor shall develop and implement a written policy on the National Curriculum, supported by appropriate plans and schemes of work.
 - (c) The written policy on the National Curriculum referred to in Sub-section (1)(b), above, shall provide for:
 - (i) Full-time supervised education for learners of compulsory school age (construed in accordance with *The General Education Act, 2012*), which gives learners experience in linguistic, mathematical, scientific, technological, human and social, physical and aesthetic and creative education;
 - (ii) Subject matter appropriate for ages and aptitudes of learners, including those learners with special needs;
 - (iii) That pupil acquires speaking, listening, literacy and numeracy skills;
 - (iv) The principal language of instruction must be English and the national languages shall be taught as per the law;
 - (v) Where the learners have special education needs, education which fulfils its requirement;
 - (vi) Personal, social and health education, which reflects the school aims and ethos;
 - (vii) Appropriate careers guidance for learners receiving secondary education;
 - (viii) Where the school has learners above the compulsory school age, a programme of activities, which is appropriate to their needs;
 - (ix) That all learners have the opportunity to learn and make progress; and
 - (x) Adequate preparation of learners for the opportunities, responsibilities and experience of adult life.

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2. For private schools which have been exempted as per the provisions of **The General Education Act, 2012**, they shall implement the approved national or international curriculum effectively and meet the minimum quality standards stipulated in sub-section (1)(a), above.
3. Only a private school, which meets the above minimum quality standards, shall be registered by the Ministry.

7. Evidence of Quality Education

1. The private school shall meet the minimum quality standards in Section 7 above by ensuring that the teaching at the school:
 - (a) Enables learners to acquire new knowledge and make progress according to their ability so that they increase their understanding and develop their skills in the subject matter taught;
 - (b) Fosters in learners the application of intellectual, physical or creative effort, interest in their work and the ability to think and learn for themselves;
 - (c) Involves well-planned lessons and effective teaching methods, activities and management of class time;
 - (d) Shows a good understanding of the aptitudes, needs and prior attainments of the learners, and ensures that these are taken into account in the planning of lessons;
 - (e) Demonstrates appropriate knowledge and understanding of the subject matter being taught;
 - (f) Utilises effectively classroom resources of an adequate quality, quantity and ranges;
 - (g) Demonstrates that a framework is in place to assess learners work regularly and thoroughly and use information from that assessment to plan teaching so that learners can progress; and
 - (h) Utilises effective strategies for managing behaviour and encouraging learners to act responsibly.
2. The private school shall ensure that a framework for pupil's performance is in place as an essential requirement for meeting the minimum standards in Section 7, above.
3. Only a private school that provides the evidence outlined in Section 7, above, shall be registered and allowed by the Ministry to operate as a private school.

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4. Any private school that fails to meet the minimum quality standards stated in Section (6) or fail to demonstrate the evidence of quality education as required by Section (7) above shall be served with a Notice of Closure by the Minister.

8. Guiding Principles for Spiritual, Moral, Social and Cultural Development

1. The standard about spiritual, moral, social and cultural development of learners at school is met if the proprietor ensures that principles are promoted which-
 - (a) Enable learners to develop their self-knowledge, self-esteem and self-confidence;
 - (b) Enable learners to distinguish right from wrong and to respect the law;
 - (c) Encourage learners to accept responsibility for their behaviours, show initiative and understand how they can contribute to community life;
 - (d) Provide learners with a broad general knowledge of public institutions and services in South Sudan; and
 - (e) Assist learners to acquire an appreciation of and respect for their own and other cultures in a way that promotes tolerance and harmony between different cultural traditions.
2. Any private school that fails to adhere to the principles for spiritual, moral, social and cultural development of learners and meet the standard stated in Sub-section (1) above shall be served with a Notice of Closure by the Minister.

9. Minimum Standards for Welfare, Health and Safety

1. The minimum standards related to the welfare, health and safety of learners at school are those contained in this Section.
2. The minimum standards in this Section are met if the proprietor ensures that –
 - (a) Arrangements are made to safeguard and promote the welfare of learners at school; and
 - (b) Such arrangements have regard to any guidance issued by health authorities.
3. Where a school provides boarding accommodation or facilities, the minimum standards in this Section are met if the proprietor ensures that –
 - (a) Arrangements are made to safeguard and promote the welfare of boarders while they are accommodated at the school;

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- (b) Such arrangements have regard to the national minimum standards for boarding schools;
 - (c) A record is kept of the sanctions imposed on learners for serious misbehaviour; and
 - (d) An admission and attendance register is maintained in accordance with pupil's registration.
4. The Minister shall serve any private school that fails to adhere to the Minimum Standards stipulated in this Section with a Notice of Closure.

10. Minimum Standards for the Suitability of Staff and Supply Staff

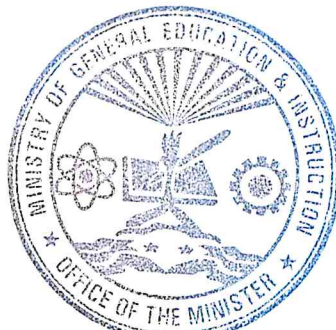
1. The minimum standards in this Section relate to suitability of persons appointed as members of staff at school other than the Proprietor.
2. The minimum standards for the suitability of staff are met if -
 - (a) No such person is barred from regulated activity relating to children in accordance with the law; and
 - (b) The proprietor carries out appropriate checks to confirm in respect of each such person -
 - (i) The person's identity;
 - (ii) The person's medical fitness;
 - (iii) The person's right or permission to work in South Sudan; and
 - (iv) The person meets the minimum standards for recruitment of teachers in the Republic of South Sudan stipulated in Section xx of the General Education Act, 2012.
3. The requirement of the suitability of supply staff at a private school is met if-
 - (a) The proprietor has received a written confirmation from the Ministry that the person concerned has obtained either a Permanent Registration or a Temporary Registration in accordance with the Act, 2012;
 - (b) The proprietor has obtained an original copy of an enhanced criminal record certificate before the person begins work at school; and
 - (c) The proprietor has ensured that any person offered for supply to the school only begins to work at the school only if the conditions (I) and (ii) above are satisfied.
4. Any private school that fails to meet the minimum quality standards stated in Sub-sections (1) to (3) above shall be served with a Notice of Closure by the Minister or denied registration if it is not a registered private school.



11. Minimum Standards for Suitability of the Proprietor

1. The minimum standards related to the suitability of the proprietor(s) are those contained in this Section.
2. The minimum standards in this Section are met if –
 - (a) The proprietor is not barred from regulated activity relating to children in accordance with the laws of South Sudan;
 - (b) The proprietor does not carry out work, or intend to carry out work, at the school in contravention of any direction made or laws;
 - (c) The proprietor is committed to promoting education in the Republic of South Sudan;
 - (d) The proprietor has an enhanced criminal record certificate, countersigned by the Minister; and
 - (e) Identity documents confirm that the proprietor is a South Sudanese or, in case of a foreigner, the Proprietor has obtained a work permit from Ministry of Labour, Public Service and Human Resource Development, Republic of South Sudan.
3. The minimum standards in this Section are met in relation to a body corporate or a company if –
 - (a) The body corporate or company is not barred from regulated activity relating to children in accordance with the laws of South Sudan;
 - (b) The body corporate or company does not carry out work, or intend to carry out work, at school in contravention of any direction made by the ministry of education or any laws in South Sudan;
 - (c) The body corporate or company shall have a Registration Certificate from the Ministry of Justice, Republic of South Sudan;
 - (d) The body corporate or company shall deposit an amount of SSP 300,000 in a bank as a performance guarantee; and
 - (e) The body corporate or company shall provide the name of school that needs to be registered.
4. Any private school that fails to meet the minimum quality standards stated in Sub-sections (1) to (3) above shall be served with a Notice of Closure by the Minister or denied registration if it is not a registered private school.

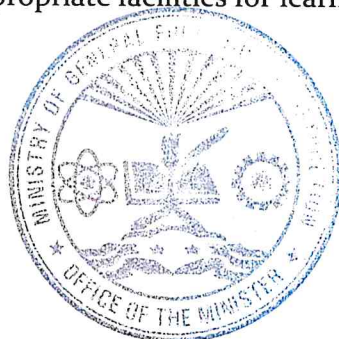
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12. Minimum Standards for School Premises

1. The minimum standards related to the premises of a school are met if the proprietor ensures that –
 - (a) The school buildings provide reasonable resistance to penetration by rain, wind and moisture from the ground;
 - (b) There is sufficient access so that emergency evacuations can be accomplished safely for all learners, including those with special educational needs and disabilities, to enter and leave the school safely;
 - (c) Having regard to the number, age and needs (including any special educational needs) of learners, classrooms are appropriate in size to allow effective teaching, and no area of the school compromises health or safety.
 - (d) Classrooms and other parts of the school are maintained in a tidy, clean and hygienic state;
 - (e) Sound insulation and acoustics allow effective teaching and communication;
 - (f) Lighting, heating and ventilation in classroom and other parts of the school are appropriate;
 - (g) There is a satisfactory standard and adequate maintenance of decoration;
 - (h) The furniture and fittings are appropriately designed for the age and needs (including any special educational needs) of the learners;
 - (i) There is appropriate flooring and it is maintained in good condition;
 - (j) The water supply is available at school;
 - (k) There is an adequate drainage system for hygienic purposes and the disposal of waste water and surface water;
 - (l) The school has adequate security arrangements for the grounds and buildings;
 - (m) Where premises are used for a purpose other than schooling, the health, safety and welfare of learners are safeguarded and their education is not interrupted by other users;
 - (n) There are sufficient washrooms for staff and learners, including facilities for learners with special educational needs and disabilities;
 - (o) There are appropriate facilities for learners who are ill;

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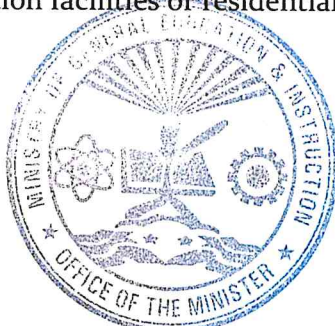


- (p) Where food is served, there are adequate facilities for hygienic preparation, serving and consumption; and
 - (q) There are appropriate arrangements for providing outside space for learners to play safely.
2. Any private school that fails to meet the minimum quality standards stated in Sub-sections (1) above shall be served with A Notice of Closure by the Minister or denied registration if it is not a registered private school.

13. Minimum Standards for School Boarding Accommodation

1. The School Boarding Accommodation shall meet the following minimum quality standards:
- (a) The school boarding accommodation shall provide reasonable resistance to penetration by rain, wind and moisture from the ground;
 - (b) The accommodation shall have sufficient access so that emergency evacuations can be accomplished safely for all learners in the boarding facility, including those with special educational needs and disabilities, to enter and leave the school safely;
 - (c) Having regard to the number, age and needs (including any special educational needs) of learners, bedrooms are appropriate in size to ensure health and safety and no area of the school compromises health or safety.
 - (d) Bedrooms and other parts of the school accommodation are maintained in a tidy, clean and hygienic state;
 - (e) Sound insulation and acoustics ensures noise is reduced to the minimum;
 - (f) Lighting, heating and ventilation in bedrooms and other parts of the school accommodation are appropriate;
 - (g) There is a satisfactory standard and adequate maintenance of decoration;
 - (h) The furniture and fittings are appropriately designed for the age and needs (including any special educational needs) of the learners;
 - (i) There is appropriate flooring and it is maintained in good condition;
 - (j) The water supply is available at school boarding facility;
 - (k) There is an adequate drainage system for hygienic purposes and the disposal of waste water and surface water;
 - (l) The school has adequate security arrangements for the boarding accommodation facilities or residential buildings;

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- (m) There are sufficient washrooms in the boarding accommodation for learners, including facilities for learners with special educational needs and disabilities;
 - (n) There are appropriate facilities for learners who are ill to access healthcare services;
 - (o) There are adequate facilities for hygienic preparation, serving and consumption of food; and
 - (p) There are appropriate arrangements for providing outside space for learners to sit and relax.
2. Any private school that fails to meet the minimum quality standards stated in Sub-sections (1) above shall be served with A Notice of Closure by the Minister or denied registration if it is not a registered private school.

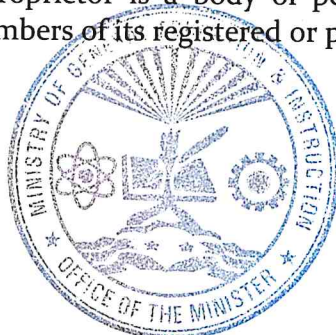
14. Minimum Standards for Provision of Information

1. The minimum standards related to the provision of information by the school is met if the proprietor ensures that –
- (a) The information is provided to parents of learners and parents of prospective learners and, on request, to the Minister of Education, Chief Inspector, Undersecretary, and other government authorities;
 - (b) Particulars of the arrangements for meeting the standards contained in this Ministerial Order are published on the school internet website or, where such website exists, are sent to parents on request; and
 - (c) Following an inspection under the General Education Act, 2012, a copy of the report of the inspection, if it has been sent to the proprietor, is sent to the parents of each learner timely.
2. Any private school that fails to meet the minimum quality standards stated in Sub-sections (1) above shall be served with A Notice of Closure by the Minister or denied registration if it is not a registered private school.

15. Nature of Information

1. The information specified in this Section is –
- (a) Where the proprietor is an individual, the proprietor's full name; address for correspondence during both term-time and holidays and a telephone number or numbers on which the proprietor may be contacted at all times; or
 - (b) Where the proprietor is a body of persons or a company, the address and telephone numbers of its registered or principal office.

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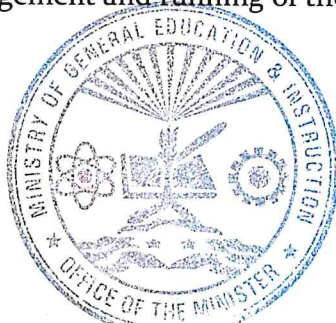


- (c) Where there is a governing body, the name and address for correspondence of its Chairperson; and
 - (d) A statement of the school's ethos (including any religious ethos) and aims.
 - (e) Particulars of the school's policy on and arrangements for admissions, misbehaviour and exclusions;
 - (f) Particulars of educational and welfare provision for learners with special educational needs;
 - (g) Particulars of the school's academic performance during the preceding school year, including the results of public examinations;
 - (h) Details of the complaints procedure and number of complaints registered under the formal procedure during the preceding school year; and
 - (i) The number of staff at the school, including temporary staff, and summary of their qualifications.
2. The information stipulated in Sub-section (1) above shall be considered to be the bare minimum required. However, a private school may generate additional information as necessary or appropriate.

16. Complaints Procedures

1. The standard about the manner in which complaints are handled is met if the proprietor –
 - (a) Ensures that a complaint from a parent of a learner is made in writing;
 - (a) Such a complaint is made available to parents of learners;
 - (b) Sets out a clear time-frame for the management of such a complaint;
 - (c) Allows for a complaint to be made and considered initially on an informal basis;
 - (d) Where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (c) above, establishes a formal procedure for the complaint to be made in writing;
 - (e) Where the parent is not satisfied with the response to the complaint made in accordance with sub-paragraph (d) above, makes provision for a hearing before a panel appointed by or on behalf of the proprietor and consisting of at least three people who were not directly involved in the matter(s) detailed in the complaint and ensures that, where there is a panel hearing of a complaint, one panel member is independent of the management and running of the school;

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- (f) Allows for the parent to attend and be accompanied at a panel hearing, if he or she wishes, by a friend or a relative.
 - (g) Provides for the panel to make findings and recommendations and stipulates that a copy of those findings and recommendations is –
 - i. Sent by mail or otherwise given to the complainant and, where relevant, the person complained about; and
 - ii. Available for inspection on the school premises by the proprietor, the Headteacher and the School Inspectors;
 - (h) Provides for a written record to be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing; and
 - (i) Provides for correspondence, statements and records relating to individual complaints to be kept confidential, except where the laws allow.
2. Any private school that fails to meet the minimum quality standards stated in Sub-sections (1) above shall be served with a Notice of Closure by the Minister or denied registration if it is not a registered private school.

17. Financial Security

1. The standard related to financial security is met if the proprietor –
- (a) Produces a Bank Statement showing that there is sufficient money to cover the costs of running a private school at least for a period of one school year; such an amount of money will depend on the size and characteristics of a private school but shall not be less than SSP 2, 000, 000 (Two Million South Sudanese Pounds);
 - (b) Demonstrates that the private school or the Proprietor has access to additional finances from other sources; or
 - (c) Provides evidence to show that the Proprietor has sufficient regular income that is well above the minimum threshold stipulated in Sub-section 1(a), above.
2. Any private school or Proprietor that fails to meet the minimum quality standards stated in Sub-sections (1) above shall be served with a Notice of Closure by the Minister or denied registration if it is not a registered private school.

18. Risk Management

1. The standard related to risk management is met if the proprietor –
- (a) Produces a workable Risk Management Strategy that has the potential to prevent or mitigate the risks involved in running a private school;

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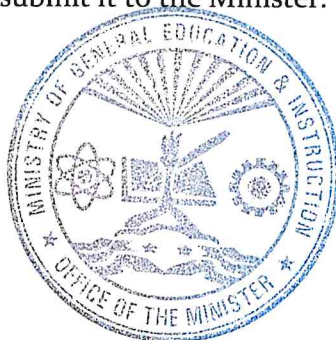


- (b) Furnishes the Ministry with a Bank Statement showing that there is sufficient money to cover the costs of disaster management;
 - (c) Demonstrates that the private school or the Proprietor has access to additional finances from other sources, which can be mobilised quickly and used for risk management purposes; or
 - (d) Provides evidence to show that the Proprietor has sufficient regular income that is well above the minimum threshold stipulated in Sub-section 1(a) above, some of which can be used for risk management.
2. Any private school or Proprietor that fails to meet the minimum quality standards stated in Sub-sections (1) above shall be served with a Notice of Closure by the Minister or denied registration if it is not a registered private school.

19. Procedures for Registration of a Private School

1. A Proprietor of a private school may submit an application for registration of the school concerned to the Ministry as per the provisions of The General Education Act, 2012, using the appropriate application form.
2. The Proprietor shall ensure the private school for which he or she or it is seeking approval for its registration meets the minimum standards stipulated in this Ministerial Order.
3. The Proprietor shall submit the completed application form for provisional registration or full registration from the offices of the Director General for Basic and Secondary Education at the Ministry of General Education and Instruction in Juba in fives copies.
4. The Director General for Basic and Secondary Education at the Ministry shall receive the applications for registration of private schools and bring such applications to the attention of the Undersecretary, who will in turn inform the Minister to appoint, or delegate the Undersecretary to appoint, a Technical Committee to pay an inspection visit to and conduct a criterion referenced evaluation of the private school and submit a report to the Minister with recommendations.
5. The Minister may delegate the State Minister responsible for education to appoint a technical committee comprising of a team of School Inspectors or Technical Experts of the State Ministry to evaluate a private school for the purpose of registration and render a report to the Minister through the State Minister concerned.
6. The Technical Committee shall write a detailed evaluation report after the inspection and submit it to the Minister.





7. The Undersecretary shall properly scrutinise the evaluation report before forwarding it to the Minister with his or her recommendation or comments together with the application for registration of the private school and all the relevant documents.
8. The Minister, based on the inspection report and recommendations by the Technical Committee and or the Undersecretary, shall approve or reject the application and, in case of rejection, give reasons and recommend remedial action(s).
9. In case an application for registration of a private school is rejected, the school shall be given a reasonable period to take corrective measures and commence the application process again.
10. In case an application for registration of a private school is approved, the Minister shall direct the Undersecretary to issue the Registration Certificate for two years.
11. Upon approval of issuance of the registration certificate, the Undersecretary shall write officially to the Director General of the State Ministry to inform him or her of the outcome of the application process and to direct them to allow the school to operate. The Undersecretary shall send copies of the Registration Certificate to the Director General of the State Ministry, too.
12. The Ministry shall retain one copy of the Registration Certificate, the State Ministry shall retain the second copy, the third copy shall be send to the County Education Department and the original copy shall be kept by the school.
13. The Undersecretary shall maintain a register of all private schools/institutions classified under him/her.
14. The Undersecretary shall provide technical advice to the Minister on registration of private schools.

20. Procedures for Renewal of Registration of a Private School

1. At least six months before the expiry of the two-year Registration Certificate, the Proprietor shall apply for renewal of the Registration Certificate of the private school.
2. Upon receiving the application for renewal of registration, the Minister will either appoint a Technical Committee or delegate the Undersecretary or the State Minister to appoint a Technical Committee to re-inspect or re-evaluate the school to assess compliance with this Ministerial Order and submit a detailed evaluation report to the Minister, through the Undersecretary or the State Minister.
3. The Minister shall approve the renewal of the registration of the private schools taking into consideration the recommendations of the Technical Committee and direct the Undersecretary to issue a new Registration Certificate to the School.

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4. All registration certificates shall be issued not later than first week of January so that schools can start in February of the same year.
5. The Minister shall determine a fee to be paid by a Proprietor for registration of a private school and may increase such a fee from time to time, as he or she deems necessary or appropriate.
6. The Undersecretary shall provide technical advice to the Minister on renewal of registration of private schools.

21. Closure and De-registration of a Private School

1. The Minister may close and de-register a Private School in case of non-compliance with this Ministerial Order.
2. The Minister may also officially close and de-register a private school if it decides to close or not to operate any longer for whatever reason.
3. The Minister may close and de-register a private school if it fails to renew its Registration Certificate; such a decision shall be made once a notice of non-compliance is sent or served to the school by the Minister and the school has failed to comply with the notice within a reasonable period of time.
4. The Minister may also order the closure of a private school and de-register the school if a routine school inspection finds that a school has fallen below the standards prescribed in this Ministerial Order and the inspection report has recommended for the school to be closed and de-registered.
5. The Minister may order closure and de-registration of a private school if there is a pattern of gross misconduct by its staff or learners.
6. The Undersecretary shall take appropriate measures to ensure a private school that has been closed by the Minister is removed from the register of private schools or de-registered.
7. Any private school that has been closed and de-registered may appeal to the Minister for reconsideration if there is a good reason to warrant a review of the decision of the Minister.
8. If there is a good reason and a strong case has been made for a private school not to be closed and de-registered, the Minister may reconsider and annul his or her decision and allow the school to operate as usual or with a new conditionality.
9. The Minister may direct the school which had been closed to be re-opened under a new management or leadership.

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10. Under emergency circumstances, the Minister may order the re-opening of a private school that has been closed when the emergency situation is either completely over or is largely under control.
11. The Undersecretary shall provide technical advice to the Minister on closure or re-opening of private schools.

22. School Fees

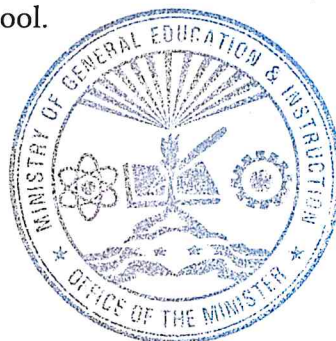
1. In accordance with Section 21(b)(v) of The General Education Act, 2012, a private school may charge school fees. However, such fees shall be reasonable and not exorbitant.
2. The private schools may charge fees for tuition as the primary obligation of the Parents or Guardians of the learners enrolled in the schools.
3. Any other fees shall be subsidiary and optional and the amounts involved shall be very low and affordable by the majority, if not all Parents or Guardians of the learners.
4. The fees to be charged by a private school shall be arbitrated by the Technical Committee to be appointed by the State Minister, when there is a dispute between Parents and the Headteacher of a private school.
5. If a private school is found guilty of over-charging a Parent or a Guardian, the Minister may order the closure of the school or issue the final warning to the school concerned.

23. Other Fees

1. A private school may charge other fees for:
 - (a) School uniform;
 - (b) Medical treatment of learners;
 - (c) Examination fees for Primary 8 and Senior Secondary 4 Certificates only; and
 - (d) Study tours or leisure tours or expeditions.
2. All the fees listed in Sub-section (1) above shall be very reasonable and affordable by all Parents and Guardians.

24. Voluntary Contributions of Parents and Guardians to the School

1. As per the provisions of The General Education Act, 2012, Parents and Guardians of children attending a private school may make voluntary contributions in cash or in kind to the school.



2. The voluntary contributions referred to in Sub-section (1) above shall be voluntary in nature and no Parent or Guardian shall be intimidated or coerced to make such a contribution.
3. If a private school is found guilty of intimidating or coercing a Parent or a Guardian into making a contribution, which should have been voluntary, the Minister may order closure of the school.

25. School Uniform

Learners in a private school shall wear school uniform. Such a school uniform shall be culturally-sensitive and appropriate for the South Sudan environment.

26. Adherence to the Codes of Conduct

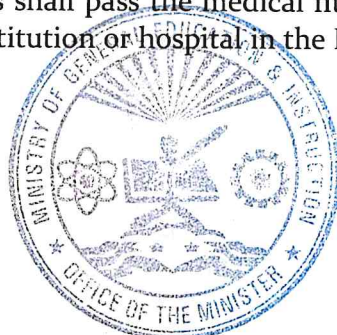
1. All private schools shall adhere to the National Professional Code of Conduct for Teachers.
2. All private schools shall adhere to the code of conduct for learners and deal with cases of misconduct.
3. All private schools shall adhere to the provisions of The General Education Act, 2012, related to Religious Education.
4. All private schools shall adhere to the provisions of The General Education Act, 2012, related to Religious Indoctrination.

27. Work Permits

1. In case of a foreigner, the Proprietor shall –
 - (a) Obtain a work permit from Ministry of Labour, Public Service and Human Resource Development.
 - (b) Register with the Ministry of Justice if it is a corporate body.
2. In case there is an objective justification for recruiting foreign teachers, the Proprietor shall ensure that these foreign teachers obtain work permits prior to their deployment to the school.
3. Without prejudice to the provisions of Sub-section (2) above, the priority for employment of teachers in the Republic of South Sudan shall be given to South Sudanese nationals.

28. Medical Fitness

1. All teachers, supply teachers and any other staff of a private school that work with the learners shall pass the medical fitness test to be administered by a recognised medical institution or hospital in the Republic of South Sudan.



2. The Proprietor of a private school shall ensure that all teachers, supply teachers and any other staff of the school comply with the requirement provided for in Sub-section (1) above without fail.

29. The Power to Order Improvements in Private Schools

1. The Minister may issue an Improvement Order to a private school as he or she deems necessary or appropriate, from time to time, with the view to safeguard the interests of the learners.
2. If a private school fails to comply with an Improvement Order, the Minister may close and de-register a private school.

30. Change of Ownership of a Private School

1. The Minister may approve a change of ownership or location of a private schools.
2. The Minister may approve the extension to an existing registered school if the school meets the necessary requirements; or require the Proprietor of the school to apply for classification of the proposed extension as a new school.

31. Delegation of Powers

1. In accordance with Section 8 (g) of **The General Education Act, 2012**, The Minister may delegate the power to approve registration or closure of a private school to a State Minister responsible for Education.
2. In case the Minister delegates the power referred to in Sub-section (1) above to the State Minister responsible for education, he or she may also state the terms and conditions for use of the delegated power.

32. Fines

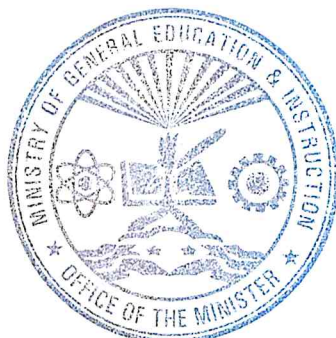
The Minister may fine a private school for a misconduct or a violation of this Ministerial Order provided that such a fine does not exceed the sum of SSP 1,000,000 (one million pounds).

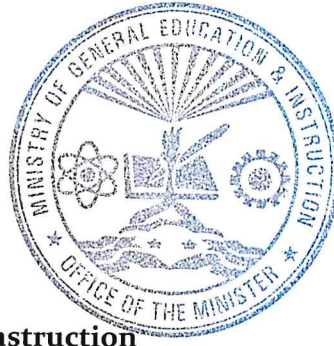
32. Other Matters

Any matters not addressed by this Ministerial Order, which are related to private schools, shall be raised to the attention of the Minister for appropriate or necessary action.

33. Signature of the Minister

Signed under my hand and seal at the Ministry of General Education and Instruction in Juba this 31st day of the month of October in the year 2017 AD.





Hon. Deng Deng Hoc Yai
Minister of General Education and Instruction

