

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

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

Date: 31st October 2017

Ministerial Order No. 22/2017

Subject: Ministerial Order on Girls Education 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 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. 22/2017 on School Inspection in the Republic of South Sudan 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 Ministerial Order on Girls Education in the Republic of South Sudan, 2017**" and shall come into force and shall come into force on the date of its signature by the Minister.

2. Purpose

The purpose of the Ministerial Order is to:

- (1) Provide equitable access to learning opportunities for all citizens to redress the past inequalities in education provision;
- (2) Achieve equity and promote gender equality and the advancement of the status of women; and
- (3) Promote girls education as an affirmative action in promoting and encouragement of girl's education in the Republic.

3. Authority

Without prejudice to the generality of the provisions of the sited Articles hereinafter, the authority of this Ministerial Order emanates from Articles 17, 29 and 40 of the Transitional Constitution, 2011, and Section 34 of the General Education Act, 2012.

4. Application

This Ministerial Order shall be applicable in all the States of the Republic of South Sudan.

5. Interpretations

- (1) In this Ministerial Order, unless the context states otherwise, the following terms shall have the meanings assigned to them respectively:
 - (a) "All levels of government" means the National Government, all the governments of the states of the Republic of South Sudan and Abyei Administrative Area and all the local governments in Counties.
 - (b) "National Government" means the national government of the Republic of South Sudan based in the National Capital of the Republic of South Sudan and its institutions;
 - (c) "Girl" means a girl child aged 3 to 17 years;
 - (d) "President" means President of the Republic of South Sudan;
 - (e) "Prescribed" means described by this Ministerial Order or legislations of the States.
 - (f) "Guardian", means a person who has a legal or moral duty and authority to care for a girl because of her infancy, incapability or disability; whether appointed or a member of a family.
 - (g) "Employee", means any male or female person working in the same school where the girl child is enrolled.
 - (h) "School Teacher", means a Teacher working in the school where the girl child is enrolled.
 - (i) "Guardian ad Litem" means a guardian or a lawyer appointed by the Court to care for the girl or to appear in a lawsuit or court proceedings on behalf of a girl respectively;
 - (j) "Constitution" means the Transitional Constitution, 2011;
 - (k) "Basic education" means the education level from the ECD to Senior 4.
 - (l) "Minister" means the Minister responsible for General Education in the National Government of the Republic of South Sudan.
 - (m) "State Minister" means a Minister in charge of education at the State level;

6. Advocacy, Public Awareness and Community Mobilization

1. The Ministry shall advocate for and raise public awareness on girls' education throughout the country as well as abroad.
2. The State Ministries responsible for general education shall implement a State-wide advocacy, public awareness and community mobilization programme to address barriers to girls' education, such as early marriage and early pregnancy.
3. The County Education Departments shall work in conjunction with the traditional authority leaders and other local stakeholders to tackle the barriers to girls' education and increase the enrollment of girls in schools.



7. School Infrastructure

1. The Ministry shall construct additional schools to provide opportunities for girls to exercise their constitutional right to education. Such schools shall include boarding schools for girls.
2. The State Ministries responsible for education shall ensure that schools are within a walking distance of pupils of school going age, including girls.
3. State Ministries of Education and the County Education Departments shall mobilize traditional authority leaders to construct additional schools in rural areas without schools to provide more learning spaces for girls.
4. All traditional authority leaders shall cooperate fully with the County Education Departments to construct additional schools through self-help initiatives.
5. All non-governmental organizations shall promote girls' education by constructing additional schools and learning spaces for girls.
6. All private sector institutions shall promote girls' education as an integral part of their corporate social responsibility.
7. The school premises shall have separate toilets for girls.
8. The school sports facilities shall be made available for both boys and girls.

8. Free Formal Education

1. Formal education, from ECD to Senior 4, offered by a public school shall be free of charge.
2. All public schools shall provide every girl free formal education, from ECD 1 to Senior 4.
3. Any public school charging a girl a school fee shall be deemed to have violated the Ministerial Order and the Head-teacher or, in his or her absence, the Acting Head-Teacher shall be dismissed if found guilty of the charge by a Disciplinary Board.
4. It is an offence under the provisions of this Ministerial Order for a public school to deny education to a girl of a school age on the basis of culture, tradition or religion. Such denial is punishable with imprisonment not less than a year or with a fine not less than South Sudanese Twenty Thousand Pounds (SSP 20,000) or both.
5. Each girl child shall produce a Birth Certificate or an Assessment of Age Certificate from a competent medical authority as a necessary requirement for enrollment in and access to free formal education in a public school.

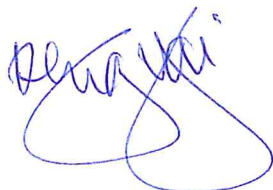


9. The National Curriculum

1. The National Curriculum shall be gender-sensitive, learner-centered and secular and it shall cater for the needs of the girls as well as boys.
2. All schools, with the exception of those exempted by law, shall implement the National Curriculum of the Republic of South Sudan.
3. The National Curriculum shall promote the academic, moral, cultural, intellectual and physical development of both male and female students or learners.
4. The National Languages shall be taught to all learners -both boys and girls- in all schools implementing the National Curriculum.
5. All schools shall promote the teaching of Arabic, French, and Kiswahili as optional subjects for both girls and boys.
6. The School Curriculum in every school shall meet the needs of both female and male learners.

10. School Management and Leadership

1. The Head-teacher shall work with the governing body and others to create a vision for the school, which is clearly articulated, shared, understood and acted upon effectively by all the parties in the school.
2. The Head-teacher shall raise the quality of teaching and learning and the achievement of pupils in his or her school and promote a successful learning culture that enables pupils and students to become effective, enthusiastic, independent learners, committed to life-long learning.
3. The Head-teacher shall ensure effective relationships and communication with the school community, use a range of effective leadership skills and develop self and His or her Teachers through continuous professional development programmes.
4. The Head-teacher shall provide effective organization and management of the school ensuring that the school, the school community and its resources are organized and managed to provide an efficient, effective and safe learning environment as well as building a success school through effective collaboration with other schools.
5. The Head-teacher shall promote accountability and ensure he or she meets his or her obligation and accounts to pupils, parents, school governors, Contractors, the County Education Department, the State Ministry responsible for Education and the Ministry.
6. The Head-teacher shall create and maintain an effective partnership with parents, guardians, community figures, businesses, and other organizations to



enhance and enrich their school and to improve pupils' achievement and personal development as well as collaborate with other schools to share expertise and bring positive benefits to their own and other schools.

11. School Governance

1. Every school shall implement The Ministerial Order on School Governance, 2017.
2. The Governing Body of each school shall ensure adequate representation of women.
3. No decision of the Governing Body that affects girls shall be passed without the consent of the female representatives.

12. Teaching and Learning

1. The State Ministry responsible for Education and the County Education Department shall ensure that Teachers recruited and deployed to public and private schools meet the minimum standards stipulated in Section 22 of The General Education Act, 2012, to ensure they are able to provide quality teaching to facilitate learning.
2. The State Ministry responsible for Education and the County Education Department shall ensure that positive action is taken in favor of female Teachers to address the issue of gender inequality in the workforce and ensure there enough role models for girls in schools.
3. Training and development opportunities shall be created by the State Ministries responsible for general education for female teachers to develop their capacities and increase their professionalism and, in so doing, encourage women to make teaching the career of choice.
4. All County Education Departments and schools shall work in partnership to improve retention of girls in schools.
5. All schools shall implement school-wide strategies to ensure parity of learning outcomes for both boys and girls.
6. All schools shall take appropriate steps to increase progression and transition rates for girls every year.

13. School Environment

1. All schools shall improve the physical environments of their schools to ensure such environments are girl-friendly and conducive to learning for girls.



2. Every school shall take the necessary steps to promote peace education, establish a Peace Club and become a Zone of Peace.
3. Every school shall conduct extra-curricular activities for both boys and girls.
4. A State Ministry responsible for Education may provide, within its financial ability, free school meals to girls in schools.
5. Every school shall work closely with the County Education Department, the County Health Department and any other local institutions to provide free health education and healthcare to all learners, especially girls.

14. School Inspection

1. Every school shall conduct a school self-evaluation prior to a school inspection and shall include gender-sensitivity as an integral part and parcel of the self-evaluation.
2. School inspection shall involve critical examination of each school using a gender lens.
3. School inspection shall consider how well the school is serving both girls and boys.
4. Any recommendations made by school inspection teams shall include measures for promoting gender equality in the target school as appropriate.

15. Compulsory School Attendance

1. Every girl of a school age shall attend school at least until she reaches 18 years of age.
2. Every school shall provide to every girl free compulsory education until such a girl reaches the age of 18 years. For this purpose, a Parent or Guardian is required to avail the Birth Certificate or Assessment of Age Certificate of the girl.
3. Every school shall ensure every girl fulfills the requirement of compulsory attendance of school and, when she fails to do so, report the matter to the Parent or Guardian to ensure full compliance.
4. In the absence of competent authority provided for in sub-section 2 above, a Chief, under this Ministerial Order, shall presume and assess the age of a girl for the purposes of the child enrolling and remaining in school- unless there is contrary and credible proof of the age of the child. Such presumption or assessment by the chief shall be documented and their signature or a thumb assent to.



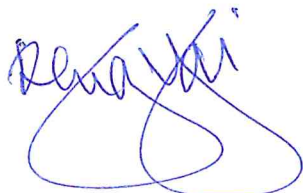
5. Early marriage of a school girl before she reaches the age of 18 years is prohibited by the law.
6. Every school shall have a duty to report to County Education Department any case of an early marriage involving a school girl below 18 years.

16. Duties of the Parents and Guardians

1. It shall be the legal duty of all Parents and Guardians to:
 - a. Send a girl of school age to a school for the purpose of receiving formal education from the age of 5 to 18 years old.
 - b. Ensure the girl attends and receives full time compulsory education at a school suitable to her age, ability and aptitude or suitable to any special education needs she may have.
 - c. Support their girls financially and morally to successfully complete compulsory education.
 - d. Regularly notify or inform the Head-teachers of the schools and other institutions of learning, where their girls are enrolled, on the absence of the girls and the reasons for such cases of absence.
 - e. Where the girl is subject of sexual abuse, prosecute the Teacher or employee concerned.
 - f. Ensure that no school girl enters into a marriage before she reaches at least 18 years of age.
2. Any failure to fulfill the duties stated in sub-section (1) above, the County Education Department shall take administrative measures or a legal action as it deems necessary and appropriate against a Parent or Guardian.
3. Any Parent or Guardian who contravenes the provision of sub-section 1 above shall be punished with imprisonment not less than six (6) months or a fine not less than Ten Thousand South Sudanese Pounds (SSP 10,000) or both.

17. Duties of the Head-teacher

1. It shall be the legal duty of the Head-teacher of a school to:
 - (a) In case of absence of a girl, notify or inform parents or guardians of the girl concerned.
 - (b) Ensure summarily dismissal of a school Teacher or an employee of such school who impregnates a school girl aged below 18 years of age.
 - (c) Allow a pregnant girl child to complete her education following the delivery of the child.



2. Any failure to fulfill the duties stated in sub-section (1) above, the County Education Department shall take administrative measures or a legal action as it deems necessary and appropriate against the Head-teacher.
3. The Head-teacher shall make a recommendation to the Director of the County Education Department to dismiss a Teacher who is proven to have impregnated or have been impregnated by a learner under his or her care. The Director of County Education Department shall forward such a recommendation to the State Minister through the office to the State Director General for action

18. Duties of the Traditional Chief

1. If it appears to the Chief of an area that a girl of compulsory school age is not receiving compulsory education at any school or not regularly attending school, he/she shall serve notice to the Parent or Guardian of the girl requiring him or her to satisfy the Chief within a specified period that the girl is attending school.
2. If a Parent or Guardian on whom a notice is served fails to satisfy the Chief and in the opinion of the Chief the child is of school age, the Chief shall issue an order requiring the Parent or Guardian to register and send the child to a named school.
3. If the Parent or Guardian fails to comply with the order of the Chief, the Chief shall report the matter to the County Education Department for any necessary action.
4. It is an offence for a Parent or Guardian, who fails to comply with the order of the Chief, shall be punished in accordance with provisions of Section 16 (2) of this Ministerial Order.

19. Provision of Alternative Education for Girls

1. All State Ministries responsible for Education shall ensure there are sufficient Community Girls Schools in each State to meet the educational needs of girls and young women.
2. All State Ministries responsible for Education shall encourage girls and young women to attend Accelerated Learning Programme to enable them to complete primary education quickly and make the transition to secondary schools.
3. All schools and other education institutions providing Alternative Education System programmes shall support the learning needs of both boys and girls and ensure parity of learning outcomes.



20. Obligation of Girls to Attend Alternative Education

1. All over-aged girls shall fulfill their obligation to attend Accelerated Learning Programme and any other AES programmes in the States where they live.
2. The Girls referred to in sub-section (1) above shall continue to pursue ALP or any other AES programmes until they reach the age of 18, thereafter they shall be free to continue or discontinue attending such an educational programme.

21. Duties of the State Ministries of Education

1. All State Ministries responsible for education shall ensure there are TVET programmes are available for girls and young women in their States.
2. All State Ministries responsible for education shall provide TVET programmes to girls including, but not limited to, catering and food preservation, home science, interior design, decoration, pottery, painting, tailoring, knitting and weaving, masonry, carpentry, midwifery and nursing.
3. The Ministry shall serve a notice on a State Ministry of Education if it fails to fulfill its duties under section 21(1) above.

22. Duties of TVET Schools

1. All TVET schools shall:
 - (a) pay special attention to the needs of girls.
 - (b) ensure parity of learning outcomes for boys and girls.
 - (c) have both male and female TVET Teachers to ensure there are female role models for girls in each school.
2. The State Ministry shall serve a notice on a TVET school if it fails to fulfill its duties under section 22(1) above.
3. The Ministry shall serve a notice on a national TVET secondary school if it fails to fulfill its duties under section 22(1) above.

23. Allocation of Funds for Girls Education

1. The Ministry shall allocate from within the annual budget funds to support education for girls throughout the country.
2. The Ministry shall mobilize funds from the donor community and use such funds to promote Girls education throughout the Republic of South Sudan.
3. All State Ministries responsible for education shall mobilize additional funds from well-wishers and voluntary donations in support of girls' education and use such funds to promote girls' education the State.

24. Contributions of the Other Stakeholders

1. All local communities shall contribute in kind as well as make voluntary financial contributions to support education of girls in their communities.



2. All Parents and Guardians shall support girls as well financially to ensure they start and finish general education successfully.
3. The private sector is encouraged to construct toilets for girls in schools as well as to provide sanitary pads for girls.

25. The National Partnership

1. The Ministry shall establish a broad-based, strategic partnership for promoting girls' education in the Republic of South Sudan.
2. The Ministry shall develop a national strategy for promoting girls' education in the country.
3. The Ministry, the State Ministries and the education partners shall work together to effectively implement the national strategy for girls' education referred to in Sub-section (2), above.

26. State-level Partnerships

1. The State Ministries responsible for education shall establish and sustain partnerships at state level for promoting girls' education.
2. The Partnerships at this level may raise issues to the National Partnership for their intervention and or support.

27. County-level Partnerships

1. The County Education Departments shall establish local partnerships to include key local stakeholders and ensure they work together to support the education needs of girls in their communities.
2. The Partnerships at this level may raise issues to the State-level partnerships for their intervention and or support.

28. The Duty of the Minister

1. The Minister shall oversee implementation of both the national strategy and the Ministerial Order throughout the Republic of South Sudan.
2. The Minister shall monitor and evaluate implementation of the Ministerial Order throughout the country and report annually on the progress achieved in Girls education and gender equality in general education.
3. Where there are shortcomings with the Ministerial Order or their implementation, the Minister may issue such orders as he or she deems necessary or appropriate to improve the effectiveness of the government in promoting girls' education throughout the Republic of South Sudan.
4. The Minister shall have the power to dismiss and de-register Teachers



5. The Minister shall consider and decide on any appeals against any decision made or a matter covered by the Ministerial Order

29. The Duties of the State Ministers

1. The State Ministers responsible for education shall oversee implementation of the national strategy in their states.
2. The State Minister responsible for education shall collect and provide gender segregated data on annual basis to enable the Minister to fulfill the duty stipulated in sub-section (1) above.
3. In the General Education Annual Review, all the State Ministries shall report on Girls education as one of the main areas of focus on annual basis to the Minister.
4. The State Minister shall dismiss any Teacher who is proven to have impregnated a female learner under his care or to have been impregnated by a male learner under her care.
5. The State Minister shall notify the Minister of such a decision and recommend to him/her de-registration of such a Teacher

30. State Legislations

The Ministers responsible for Education at the State level may make such regulations or ministerial orders and rules as may be necessary to effect a proper and efficient implementation of this Ministerial Order, provided always that such regulations, rules or orders are consistent with this Ministerial Order.

31. 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