

THE REPUBLIC OF SOUTH SUDAN  
Ministry of Justice



Office of the Minister

Your ref:.....  
Our ref: MOJ/J/RSS/2013

Date: 06/02/2013

Hon. Joseph Ukel,  
Minister of General Education  
RSS/ Juba

Re: General Education Act, 2012

Hon. Minister,

Please find attached is an assented copy of the *General Education Act, 2012* for circulation and implementation.

Thanks.



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*LAWS OF SOUTH SUDAN*

*GENERAL EDUCATION ACT 2012*

Act No.30

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# General Education Act, 2012

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## LAWS OF SOUTH SUDAN

### GENERAL EDUCATION ACT, 2012

In accordance with the provisions of Articles 55(2)(3)(b), 60 (b)(C) and 85(1) of the Transitional Constitution of the Republic of South Sudan, 2011, the National Legislature with assent of the President of the Republic of South Sudan, hereby enacts the following:

#### CHAPTER I

#### PRELIMINARY PROVISIONS

##### 1. Title and Commencement

This Act may be cited as the "General Education Act, 2012" and shall come into force on the date of its signature by the President.

##### 2. Repeal and Saving

Any existing legislation in the Republic of South Sudan that governs the same matters as set forth in this Act are hereby repealed provided that all proceedings, orders, rules or regulations issued or appointments made in accordance with provisions of the repealed laws, except to the extent they are cancelled by or are otherwise inconsistent with provisions of this Act, shall continue in force until they are repealed or amended in accordance with provisions of this Act.

##### 3. Purpose

The purpose of this Act is to provide for the establishment of a regulatory framework and structures for general education system in South Sudan.

##### 4. Authority and Application

This Act is drafted in accordance with provisions of Article (52) read together with schedule (A) paragraph (39) of the Transitional Constitution of the Republic of South Sudan, 2011, This Act shall apply throughout South Sudan.

##### 5. Interpretations

In this Act 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;

**“Adult Education”** means a course of study organized for adults which can comprise basic learning or the acquisition of specific skills required for a productive life;

**“Affirmative Action”** means the preferential treatment given to female Learners or trainee to redress past and current discriminatory practices and beliefs which do not encourage institutions of learning to be more representative;

**“Alternative Education”** means a programme of prescribed courses of study which assist the out of School Learners whether children or adults to accelerate their learning by either joining the formal education system or by gaining needed skills through alternative learning or home-study for a productive life;

**“Board of Governors”** means the governing body of a Secondary School; adult education, tertiary institutions and teachers’ training institutions.

**“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;

**“National Education Service”** means a compulsory duty of education service to be undertaken by all students who complete their Secondary school Certificate examinations and are awaiting admissions to higher institutions of learning.

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

**“Curriculum”** means the overall organised course of study for any level of education including the vision, goals and objectives for learning organised into a sequence of courses over a specified period of time guided by a syllabus;

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

**“Development partners”** means any officially registered partner-organization that works in South Sudan with the aim of promoting education development;

**“Directorate”** means a functional unit within the Ministry or State Ministries established in accordance with this Bill;

**“Director General”** means a Director General for the Ministry of Education, or Director General of State Ministries of Education;

**“Ear Marked Grants”** mean the fiscal transfers to the states in accordance with the formula set by the National Government;

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

“**Head Teacher**” 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 Minister for General Education;

“**Ministry**” means the Ministry of General Education;

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

“**National Legislature**” Means the two houses of the National Legislative Assembly and the Council of States.

“**NGOs**” means Non-Governmental Organizations registered in South Sudan that undertakes educational development at the level of the Ministry or the state ministries of Education;

“**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;

“**Parent and Teachers Association**” (PTA) means a body of teachers and parents that mobilizes resources from the Community on behalf of a primary or Secondary School, and participates in passing the School’s annual plans and budget;

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

“**President**” means the President of the Republic of South Sudan;

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

“**Private School**” means a School owned by individual(s), NGO(s), Religious denomination, community or civil society organizations and not funded by the government.

“**Public Education**” means education provided by the Government of South Sudan and the states in accordance with this Bill, responsible for performing and providing educational services to Learners in schools.

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

“**Pupil**” means any learner at primary school level



“**School**” means an educational institution, public or private recognized by the Ministry of Education and the relevant state Ministry of Education which has teachers, Learners and learning space;

“**Parents Teachers Association**” means the governing body of a primary School;

“**Secondary School**” means a level of Schooling above primary and below tertiary education;

“**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;

“**State Director General**” means a Director General responsible for the management of education at a State Ministry of Education;

“**State minister**” means the state minister for education, appointed in accordance with the Constitution;

“**State ministry**” means a state Ministry of Education;

“**State**” refers to any of the ten states established by the Constitution of South Sudan;

“**Student**” means any Learner in a secondary or post secondary School;

“**Supervisor**” means any person occupying a position within the structure of the education system who provides supervision over other staff;

“**Teacher**” means a male or female teacher who regularly instructs Learners in a School;

“**Teaching Service**” means the section of the labour-force employed to carry out teaching functions;

“**Technical Education**” means an education related to technical, scientific or industrial 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 or industrial professional areas;

“**Tertiary Education**” means education at post-secondary level at a university, college, or other institutions of higher learning;

“**Tutor**” means a teacher who carries out specialized teaching, often in small or specialized groups of Learners;

“**Undersecretary**” means the Undersecretary of the Ministry of general Education;

“Vocational Education” means a course of study providing practical skills and professional education in a vocational School or institute.

## CHAPTER II

### PRINCIPLES AND GOALS OF GENERAL EDUCATION

#### 6. Principles of General Education System

The education system in the Republic of South Sudan shall be guided by the following: principles:

- (a) Primary education shall be free and accessible to all citizens in South Sudan without discrimination on the basis of sex, race, and ethnicity, health status including HIV/AIDS, gender or disability;
- (b) Education shall foster the development of South Sudan through integration, peace, self reliance, patriotism, respect and tolerance for other cultures, traditions, religions’ opinions and beliefs;
- (c) Education shall promote gender equity throughout the primary, secondary and other institutions of learning;
- (d) Education shall inculcate in the individual awareness and respect for life, human dignity in general and human rights in particular, especially the child rights;
- (e) Education shall promote the reduction of illiteracy;
- (f) English shall be the language of instructions in schools;
- (g) All indigenous languages of South Sudan are National languages and shall be respected, developed and promoted;
- (h) The government shall promote the development of sign language and brail system for the benefit of people with special needs;
- (i) Religious education in schools shall be in accordance with the curriculum prescribed by the Ministry of General Education;
- (j) There shall be freedom of religious observance at schools;
- (k) Education shall promote healthy living, community health awareness and environmental awareness; and
- (l) To establish a globally accepted standard of education to promote skills and development;

## **7. Goals of General Education**

The education system in the Republic of South Sudan shall be directed towards meeting the following goals:

- a) Eradicate illiteracy, improve employability of young people and adults and promote lifelong learning for all citizens;
- b) Provide equitable access to learning opportunities for all citizens to redress the past inequalities in education provision;
- c) Achieve equity and promote gender equality and the advancement of the status of women;
- d) Contribute to all personal development of each learner and to the moral, social, cultural, political and economic development of the nation;
- e) Promote national unity and cohesion;
- f) Enhance the quality of education and encourage a culture of innovation and continuous school improvement and effectiveness; and
- g) Develop and promote a general scientific approach in education.

## **CHAPTER III**

### **STRUCTURE OF GENERAL EDUCATION SYSTEM**

#### **8. Management of Education**

##### **(1) Roles and Functions of the Ministry of General Education**

The National Ministry of General Education shall exercise and carry out the following roles and functions:

- (a) Plan education provision and set standards for public and private schools;
- (b) Organize and create directorates, departments, and units in conformity with the roles and functions in sub-section (i) above.
- (c) Administration and financial management of the ministry;
- (d) Planning and budgeting;
- (e) Curriculum development, publication and provision of advice on teaching materials;
- (f) Develop policies and set national standards for teacher recruitment, training and deployment;
- (g) Make regulations for and inspect private schools;
- (h) Develop policies for, and regulate educational Assessment in schools and other General Education Institutions.

- (i) Develop national common standards for inspection and maintenance of standards in schools;
- (j) Coordination of education programmes with the State Ministries of Education;
- (k) Exercise any function that may be delegated to it by Law;
- (l) Delegate some roles and responsibilities to the State Ministries of education.
- (m) Appoint an advisory committee to assist in policymaking, planning, implementation or evaluation of educational programmes, if it deems it appropriate.
- (n) Provide training for teachers of national secondary schools and national teacher training institutions, which are managed by the Ministry.
- (o) Conduct educational research to determine the quality of education system in South Sudan and use the results of such a research findings for planning purposes.

## **(2) Roles and functions of the State Ministries of Education**

The State Ministries of Education shall carry and exercise the following roles and functions:

- (a) Receive grants from the National Ministry of Education and use them for their intended purposes.
- (b) Recruit and deploy teachers in accordance with Public Service Regulations
- (c) Pay teachers' salaries and allowances as prescribed by Law.
- (d) Coordinate inspection and supervision of schools
- (e) Assessment and maintenance of standards in schools
- (f) Coordinate with the Ministry assessment and maintenance of standards in schools.
- (g) Promote, demote and dismiss teachers in accordance with Public Service Regulations.
- (h) Provide training for Teachers
- (i) Co-ordinate registration of and supervise private schools
- (j) Enforce the National code of conduct for teachers and support staff in schools, teachers' training institutions and adult education colleges and centres.
- (k) Report to the National Ministry periodically on all activities of the State Ministries of Education and;
- (i) May delegate some of its powers and responsibilities to the County Education Departments
- (m) Approve, Supervise and Coordinate the construction of learning space by any entity or development partners..

## **9. Levels of General Education**

The General Education System in the Republic of South Sudan shall consist of the following levels and ladders of education:

### **(1). Formal Education system**

The formal education system shall comprise of the following levels of education:

- (a) Pre-school;**
- (i), The pre-school shall span two years and serve as an introduction to the schooling experience for children in the ages of 3-5 years.

(ii). The terms pre-school, nursery, kindergarten and Early Childhood Development (ECD) as deemed appropriate may be applied to this level of educational ladder.

(iii). The primary objective of early childhood education shall be to develop children and improve their school-readiness.

**(b) Primary Education;**

(i). Primary education shall constitute the basic cycle of academic education in the Republic of South Sudan and shall span 8 years of duration.

(ii). The enrolment ages of a learner at a primary level shall be 5 to 6 years.

(iii). Primary education level shall be sub-divided into two (2) stages; lower primary, from grade 1 to grade 4 and upper primary, from grade 5 to grade 8.

(iv). Pupils shall sit primary 8 leaving certificate examinations at the end of the 8<sup>th</sup> years to be administered countrywide by the National Ministry of General Education, in coordination with the State Ministries of Education

**(c) Secondary Education**

(i). Secondary education shall span 4 years

(ii). Secondary education shall consist of two categories of schools

a. Academic schools

b. Technical and Vocational Education Training (TVET) schools

(iii). Students shall, sit for a unified South Sudan Secondary School Certificate examinations, at the end of the 4<sup>th</sup> year to be administered by the National Ministry of Education.

**(2). Non-formal Education**

The non-formal education system in the Republic of South Sudan shall consist of the following:

**(a). Alternative education system:**

The alternative education system in the Republic of South Sudan shall provide learning opportunities for learners who have missed their formal education in the basic education system, and those who never joined basic education.

**(b). Adult education and Lifelong Learning**

(i). The Ministry shall promote adult education and lifelong learning throughout the country.

(ii). Basic adult education established by the government shall be free of charge for all citizens.

(iii). The Ministry shall provide for the registration of Adult Education and Lifelong Learning centres/institutions

(iv). The government shall invest the necessary resources in promoting adult literacy in the Country.

## CHAPTER IV

### STANDARDS AND QUALITY OF EDUCATION

#### 10. School Calendar

- (a) The School calendar in the Republic of South Sudan shall be operational for a period of 9 months running from the beginning of February to December of the same year.
- (b) The school calendar shall not be less than 210 full days of instruction
- (c) The school calendar shall consist of 3 terms; each term shall not be less than 70 full days of instruction
- (d) Short holidays during the terms shall not be counted as the days of instruction
- (e) Examination periods shall be determined in accordance with regulations set by South Sudan Examination Council
- (f) Only National holidays shall be marked in the school's calendars.

#### 11. Assessment and Promotion

Learners' academic progress from class to class shall be determined through a process of assessment as follows:

- (a) School based examinations which shall take place at the end of each term
- (b) Final examination at the end of the academic year, which shall determine whether or not a learner progresses to the next class.
- (c) The schools shall determine whether learners are promoted from year to year based on the standards developed by the Ministry of General Education and Instruction
- (d) The schools shall take remedial measure to help weak learners in order to avoid repetition.
- (e) The South Sudan Examinations Council shall exercise the powers and functions prescribed by the South Sudan Examinations Council Act, 2011.
- (f) The South Sudan Examinations Council shall set and administer examinations for primary and secondary leaving certificates in all schools, save those schools exempted, in all the ten States.
- (g) Transition from primary to secondary or from secondary to university or college shall be determined by the results of the primary and secondary school leaving examinations.
- (h) Schools and universities shall work closely to ensure secondary school students understand the courses available at the national universities and the routes to various future careers and, in so doing, enable these students to make informed choices.

#### 12. National School Curriculum

- (a) The National Ministry shall establish a Curriculum Development Centre which shall be responsible for developing South Sudan curricula and instructional materials.
- (b) The structure, functions and management of the Curriculum Development Centre shall be determined by regulations issued in accordance with provisions of this Bill.
- (c) The Ministry shall establish a unified secular curriculum for Public, and Private schools.

- (d) The curriculum shall be balanced, and shall promote the academic moral, cultural, intellectual and physical development of students or learners.
- (e) The curriculum shall apply to all institutions of learning in the Republic of South Sudan, with the exception of international schools.
- (f) The Ministry in consultation with the Curriculum Development Centre may revise the curriculum when necessary.
- (g) Arabic and other international languages shall be optional subjects

### **13. National Languages in Education**

- (a) All indigenous languages are national languages and the English language shall be treated in accordance with the Constitution.
- (b) The Ministry shall develop the national standards for indigenous languages; train teachers of national languages and develop learning materials for national languages.
- (c) In early childhood development and primary 1 through 3, the medium of instruction shall be the indigenous language of the area. In urban settings, the school may choose to use more relevant or widely used national languages.
- (d) In primary 4 through 8, the medium of instruction shall be English. In primary 4 through 8, the indigenous language shall continue to be taught as a subject to ensure that all school children are able to communicate in national languages of the Republic of South Sudan fluently, accurately and effectively in a variety of situations
- (e) In accordance with the Constitution, the medium of instruction in secondary schools and adult education institutions shall be English.
- (f) Universal Sign Language has the status of an official language for purposes of learning at a public school.
- (g) The study of the Braille system shall be made available to blind learners.

### **14. Inspection of schools**

- (a) The Ministry of General Education shall develop a national framework for inspection of all schools throughout the Republic of South Sudan;
- (b) The Ministry, in collaboration with the State Ministries, shall inspect all schools every term; and
- (c) The Ministry shall collect and collate all inspection reports from all States and produce a national report on the quality and standards of education in the Republic of South Sudan on annual basis.



## CHAPTER V

### RESOURCE ALLOCATION, FINANCIAL MANAGEMENT AND ACCOUNTABILITY

#### 15. Resource Allocation

- (a) The process of budget allocation for general education shall be the joint responsibility of the Government of the Republic of South Sudan and the National Legislature.
- (b) The Government shall allocate an annual budget at least 10% from the total annual national budget for General Education to be directed towards development, management and maintenance of education programmes throughout the country.
- (c) The National Ministry shall allocate funds to the State Ministries of Education on a monthly basis to cover salaries, operational cost and capital cost in accordance with the financial procedures set by the government.
- (d) The National Ministry in consultation with the State Ministries of Education shall prepare annual budgets to be presented to the National government for funding of schools and other institutions of learning.
- (e) The National Ministry and State Ministries shall maintain proper accounting procedures.
- (f) The State Ministries of Education shall allocate and disburse funds to the Counties' Education Departments.

#### 16. Financial Management and Accountability

- (a) The National Ministry and the State Ministries shall ensure transparency, accurate record-keeping and full documentation in accounting for the use of all funds.
- (b) The National Ministry shall inform State Ministries of the schedule for the transfer of funds and the amounts for State Ministries planning purposes.
- (c) The National Ministry shall ensure that resources are used only for their intended purposes and in an efficient and cost effective manner.
- (d) The State Ministries shall be responsible for financial management at the state level.
- (e) The State Ministries shall be accountable for all finances received from the National Ministry of Education
- (f) The financial accounts of the National Ministry and the State Ministries of Education shall be audited annually.
- (g) The State Ministries shall be free to solicit funds from donors when necessary.
- (h) The State Ministries shall ensure accountability for all funds allocated and disbursed to the Counties' Education Departments.

#### 17. Cost-Sharing in Education

- (a) The community may make contributions towards the cost of education.
- (b) Parents may contribute in cash or kind for the education of their children.
- (c) The private sectors as service providers may make contribution to schools.
- (d) Civil Society Organizations can make contribution to schools.
- (e) The State Ministries of Education and the Counties' Education Departments shall contribute towards the cost of education at their levels.



## RIGHTS OF LEARNERS

### 18. Compulsory formal education

- (1) Subject to this Act, every parent or guardian of a learner shall ensure that his/her children is enrolled and attends schools when he/she attains the age of 5 or 6 years.
- (2) Where a child who attains compulsory school attendance age fails enrol in a schools, the County Education Department shall:
  - a. Investigate the circumstances of the child's failure to enrol in school
  - b. Take appropriate measures to remedy the situation
  - c. Give notice to the parent or guardian to comply with subsection (a) above.
- (3) Where a learner who has been enrolled in school fails to attend school, the school shall:
  - a. Investigate the circumstances of the child's failure to attend school
  - b. Take appropriate measures to remedy the situation
  - c. Give notice to the parent or guardian to comply with subsection (a) above.
- (4) The County Education Department and the community leaders shall implement provisions of subsection (b) and (c) above.
- (5) Unless excused under this Act, a parent or a guardian who neglects or refuses to enrol his/her child to attend school when he/she has reached the age of 5 or 6 years shall be liable to pay a fine to be determined by regulations.
- (6) A State Ministry may only exempt learners from formal compulsory school attendance on medical grounds.
- (7) The Prefect system and Learners' Associations shall be encouraged in schools

### 19 Rights and Responsibilities of Parents and Guardians

Parents and guardians of learners shall:

- (a) Be informed of the progress, behaviours and attendance of their children in schools
- (b) Appeal decisions that significantly affect the education, health and safety of their children.
- (c) Be consulted in the development of any special education programme prepared for learners with special needs.
- (d) Inform the Head teacher of any medical or other conditions peculiar to their children upon enrolment in schools or as soon as parents become aware of such medical conditions.
- (e) Support the educational needs of their children
- (f) Shall have the right to complain against weak performance and misconduct of teachers.

### 20 Prohibition of corporal punishment

- (a) Corporal punishment is prohibited in accordance with Article 17, Section (1)(f) of the Constitution.
- (b) Any teacher, who contravenes subsection (a) above, shall be guilty of an offence and liable to punishment by Law.

## CHAPTER VII

### PUBLIC AND PRIVATE SCHOOLS

#### 21 Types of schools

In the Republic of South Sudan, there shall be the following types of schools:

##### (A) Public Schools

- (i) Public schools shall be established, funded and managed by the government.
- (ii) Public schools shall be free of charge.

##### (B) Private Schools

- (i) All private schools in the Republic of South Sudan shall follow the national school curriculum and syllabi except International and Diplomatic Schools;
- (ii) All private schools in the Republic of South Sudan shall be registered by the Government.
- (iii) The National Ministry shall make rules and regulations to govern registration, inspection and the operation of private schools.
- (iv) Private schools are investments, and shall charge reasonable fees.

##### (C) National Secondary Schools

- (i) National secondary schools shall be established and managed by the National Ministry of Education in coordination with the state ministries of education.
- (ii) National Secondary schools shall be either academic or Technical and Vocational Education and Training (TVET) schools;
- (iii) National Secondary Schools shall be the symbol of unity, cohesion and centres of educational excellence in the Country.
- (iv) National Secondary schools shall be funded by the National Ministry of Education.
- (v) National Secondary schools shall be evenly distributed throughout the Republic of South Sudan and at least one in each State.
- (vi) Admission to the National secondary school shall be done by the National Ministry of Education.
- (vii) At least 20% admission to the National secondary school shall be from the host State and the other 80% from the other 9 States.
- (viii) The National Ministry of Education shall train and deploy Head teachers, teachers and staff to all the National Secondary Schools.

## CHAPTER VIII

### RECRUITMENT, DEVELOPMENT AND DEPLOYMENT OF TEACHERS

#### 22. Minimum Quality Standards for Recruitment of Teachers

(i) The Ministry in consultation with the Ministry of Public Service, Labour and Human Resource Development shall ensure that the following categories of teachers are employed to teach in schools in the Republic of South Sudan:

- (1) Teachers who teach in pre-school shall possess a South Sudan secondary school certificate or its equivalent from a recognized teacher training institution.
  - (2) Teachers who teach in primary school shall possess a South Sudan secondary school certificate or its equivalent or diploma and a teaching qualification from a recognized teachers' training institute.
  - (3) Teachers who teach at secondary school level shall possess, Bachelor Degrees or equivalent in Education or a Bachelors Degree in another discipline and a teaching qualification from a recognized teacher training institution
  - (4) Depending on the level at which they will be assigned to teach, and the complexity of the subject, teachers who teach in adult education level; shall meet the minimum requirement stipulated in subsection (a) ii and iii above.
- (ii) All teachers upon recruitment shall register with the National Ministry of Education and be licensed to join the teaching profession.
- (iii) The National Ministry may issue full or temporary registration to a teacher in accordance with the rules and regulations.
- (iv) The Ministry shall make rules and regulations to govern the registration and licensing of teachers.
- (v) All teachers shall be appointed and terminated in accordance with Public Service Regulations.
- (vi) Given the central role that education plays in the development of any nation and therefore the need to attract and retain teachers on their jobs, the Government shall allocate additional allowances to teachers at a rate to be determined from time to time by the National Ministry of Education in consultation with the National Ministry of Labour, Public Service and Human Resource Development.
- (vii) The Ministry of General Education in consultation with the National Ministry of Labour, Public Service and Human Resource Development shall develop a comprehensive affirmative action policy for female teachers at all levels to achieve gender equality in the teaching workforce.

- (viii) The Ministry may recruit qualified teachers from abroad to plug gaps in the teaching workforce. State Ministries may also recruit such qualified teachers in consultation with the National Ministry.

### **23. Conditions of Service**

The Ministry shall ensure that every teacher is provided with:

- (a). Protection as far as is reasonably possible from molestation, abuse, assault and buttering in the process of carrying out his or her professional duties; inside or outside the school, provided that the teacher is engaged in authorized activities.
- (b). Compensation for injury to body and mind, damage to or loss of material possession while executing his or her duties, provided that the damage or loss is not caused due to his or her negligence. Such injury, damage or loss of property shall be proven by competent authority.
- (c). All teachers must appear in descent dress in particular, while on duties.
- (d). In-service teachers' training shall be administered to un trained teachers.
- (e). Performance assessment and promotion of teachers shall be conducted in accordance to the Civil Service Act 2011.

### **24. Rights and Duties of Teachers**

Every teacher shall have the right to:

- (a). Be a member of a professional body or association such as a club, a professional association or a union and to participate in activities of such a body in accordance with the Law.
- (b). Participate in civic, cultural and political activities of the community provided that these do not interfere with his/her professional duties.
- (c). Carry out all teaching responsibilities with a high degree of professionalism that promotes higher standards of learning and contribute towards achievement of the strategic goal of building educated and informed nation.
- (d). Generate reports and maintain whatever registers, records or other forms as maybe required by the head teacher, undersecretary of the Ministry or this Bill; and make those registers records or forms available for inspection by the Head teacher, the Undersecretary of the Ministry or other persons authorized by the Ministry.
- (e). Observe the standards of behaviour and conduct as established by the teachers' code of conduct.

(f). Promote and maintain positive relationship with learners, parents or guardians, members of the school community as well as persons and bodies outside the school that may have a stake or interest in the school.

## **25. Training and Development of Teachers**

- a. The National Ministry of Education shall develop a policy of teachers' training and development to cover both pre-service teachers' training and in-service teachers' training to be implemented by all the State Ministries of Education and other institutions throughout the country.
- b. The National Ministry shall ensure that the policy of teachers' training and development is implemented equitable and consistently throughout the country.
- c. The Ministry shall also develop national professional standards for teachers to be used as the basis for teachers' training and development programs in the Republic of South Sudan.
- d. The Ministry shall develop teachers' training and development programmes based on the national professional standards for teachers.

## **26. Teacher Training Institutions**

- (a). The Ministry shall issue regulations to govern the operation of teachers' training institutions and assure the quality of teachers' training programmes throughout the Republic of South Sudan.
- (b). The Ministry shall develop and implement a national inspection framework for inspection of all institutions providing teachers' training in the Republic of South Sudan.
- (c). The Ministry shall provide resources and manage all the current government owned teachers' training institutions, and may establish additional ones to meet the demand for teachers' training in the country.
- (d). The Ministry shall build the capacity of the South Sudan Institutes of Education to support the Ministry to fulfil its quality assurance responsibility for teachers' training programs throughout the country.
- (e). The Ministry shall develop a system of registration and accreditation of teacher training institutions and inspect their teacher training programmes.

## **27. Scholarships**

Employees to be known as the South Sudan Government Programme.

(b). The scholarships shall be attainable at all the universities in South Sudan and any other universities, colleges or institutions elsewhere approved by the Ministry.

(c). Any teacher or employee who is awarded a scholarship under this Bill shall sign a bond agreeing to return to the National Ministry or State Ministries of Education upon his or her qualification and shall continue to serve within the education system at the Ministry or State Ministries for a period equivalent to the period for which the scholarship was awarded.; or else, he/she shall be required to reimburse the cost of the scholarship in case he or/she shifts to serve elsewhere.

(d). The National Ministry of Education shall provide scholarships for some students to pursue Technical and Vocational Educational Training (TVET).

## 28. Deployment of Teachers

(1). The National Ministry shall:

(a). Be responsible for deployment of Head teachers, teachers and staff to all National secondary schools in the Republic of South Sudan.

(b). Transfer Head teachers, teachers and support staff from one national secondary school, or national teachers' training institute to another.

(c). Monitor the performances of Head teachers and through them; teachers and support staff working in national secondary schools to ensure that optimum standards are adhered to.

(2). The State Ministries shall:

(a). Be responsible for the deployment of head teachers, teachers, and support staff to all public schools throughout their respective states.

(b). Transfer Head teachers, teachers and support staff working in public schools in their states from one public school to another, as they deem appropriate.

(c). Monitor the performance of the Head teachers, and through them; teachers and support staff working in state public schools to ensure optimum standards are adhered to.

## 29. Administration of Public Schools

(a) Subject to this Act, the governance of public schools shall be vested in a governing body to be known as Parents and Teachers Association (PTA) at primary levels and Board of Governors (BOG) at secondary levels, Adult Education College, Or Teacher Training

Programme.

(b). The scholarships shall be attainable at all the universities in South Sudan and any other universities, colleges or institutions elsewhere approved by the Ministry.

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Institution. The establishment and operational procedures of such governing bodies shall be provided for, by rules and regulations to be issued by the National Ministry of General Education.

- (b) The governing body shall be an authority in all matters related to finance, academics, discipline, co-curricular activities and the general welfare in schools.
- (c) Subject to this Act and the Law, the administrative and professional management of public schools shall be the responsibility of Head teachers under the supervision of the relevant Ministries.
- (d) The Governing bodies shall be responsible for setting strategic direction, ensuring accountability and supervising the school performance.

## CHAPTER IX

### MANAGEMENT OF BEHAVIOURS AND DISCIPLINE IN SCHOOLS

#### 30. Code of Conduct

- (a). Subject to this Bill and the Law, the Governing Body of a public school shall adopt a code of conduct for the learners after consultation with the learners, parents and teachers of the school.
- (b). A code of conduct reflected in section (a) above, shall be aimed at establishing a discipline for the purpose of creating a conducive school environment dedicated for the maintenance of a high quality learning process.
- (c). The National Minister of General Education after consultations with all State Ministers of Education shall determine guidance for the Governing Bodies in adopting the code of conduct for learners.
- (d). All learners shall be obliged to comply with the code of conduct.
- (e). The code of conduct must contain provisions for due process safeguarding the interests of the learners and any other parties involved in the disciplinary proceedings.
- (f). Sexual relationships between teachers or staff members and learners, molestation, and sexual harassment of learners shall be prohibited and punishable by law.
- (g). Any teacher or staff member who impregnates a learner shall be dismissed and de-registered.
- (h). Pregnant learners shall have the right to remain in school or gain re-entry to school after delivery.



### **31. Political Indoctrination**

(a). The National Ministry and the State Ministries of Education shall ensure that there is no political indoctrination in schools.

(b). Teachers or Learners who engage in ethnic, tribal and partisan political activities contrary to the Law shall be subject to disciplinary proceedings in accordance with this Act.

### **32. Religious Education in Public Schools**

(a)..Religious education provided in schools shall be in accordance with the syllabus developed by the National Ministry of Education.

(b).In respect to the Public Schools, the Minister may constitute a standing advisory council on religious matters connected with the religious education to be given in accordance with the syllabus

## **CHAPTER X**

### **MISCELLANEOUS PROVISIONS**

#### **33. Right of appeal**

(a)..Legal issues arising from implementation of the provisions of this Act shall be first addressed by the National Ministry of Education or State Ministries of Education.

(b).When the issues concerned cannot be resolved at those levels, they shall be referred to the South Sudan Public Grievances Chamber, or to a court of Law.

#### **34. Power to make Regulations**

The Ministry shall make Rules, Regulations and procedures as may be necessary for the effective and efficient implementation of the provisions of this Act.

#### **35. Affirmative action**

The Government shall lay a plan of affirmative action throughout the country to redress the past and present discriminatory practices, harmful beliefs and cultures which impede the female learners from attending schools.

#### **36. National Education Service**

Students, who finish their secondary schools while awaiting admissions to tertiary institutions or universities, shall be engaged in compulsory national education services.

Assent of the President of the Republic of South Sudan

In accordance with provision of article 85(1) of the Transitional Constitution of the Republic of South Sudan, 2011, I Gen. Salva Kiir Mayardit, President of the Republic of South Sudan, hereby Assent to the General Education Act, 2012 and sign it into Law.

Signed in Juba this 27<sup>th</sup> day of the month of DEC. in the year 2012



Gen. Salva Kiir Mayardit  
President  
Republic of South Sudan  
RSS/Juba



Africa  
Educational  
Trust

50 Years Creating Opportunities  
Through Education