



BELIZE
TEACHING SERVICE COMMISSION

HANDBOOK
2012

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JANUARY 2013

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FOREWORD

The Belize Teaching Service Commission provides a structure within which all bodies with responsibility for the employment, conditions of service, disciplining and termination of teachers will be able to provide quality leadership to institutions in their charge. Through the guidance, support and monitoring provided by the Commission, Managers of schools should have a deepened understanding of their responsibilities under the Education and Training Act, 2010, and their accountability to the Ministry through the Commission. The Commission will also give teachers the assurance that their rights are being protected; it will enable the implementation of a structured and stream-lined set of procedures for disciplinary action by managing authorities; and will provide a responsive and efficient mechanism for teacher licensing and appointment. Acting on behalf of the Minister of Education, the Commission will undertake a deliberate role in enforcing standards developed by the Ministry of Education to assure the quality and status of the Belize teaching force in order to facilitate school effectiveness.

The Belize Teaching Service Commission shall therefore enforce:

- a. standards set by the Ministry for entry into teaching to assure the quality and status of the Belize teaching force and the quality of the delivery of education; and
- b. all regulations governing the conditions of service of teachers with respect to employment, appointment, transfer, discipline and termination of teachers in government and government-aided preprimary, primary, secondary, tertiary and TVET institutions subject to the provisions of sections 19 and 21 of the Education and Training Act, 2010.

THE HANDBOOK

This Handbook is intended to pull together for easy reference, sections of the Education and Training Act 2010 and extracts from the companion Education Rules which explain the role and structure of the Belize Teaching Service Commission, and outline the roles and responsibility of bodies with which the Commission will interface. The Handbook also includes the rules which govern the conditions of service of teachers employed in government schools and in Grant -In-Aid schools and of which members of the Commission must have detailed knowledge in order to be effective members of the Commission. The Commission members may find however, that from time to time, they have to refer to the Education (Amendment) Rules, 2012 (and in some cases the Education Rules, 2000) for further explication of issues with which they may have to deliberate on.

MISSION STATEMENT
of the
BELIZE TEACHING SERVICE COMMISSION

To provide and effect a mechanism within which standards and regulations governing the quality and conditions of service of teachers will be managed with transparency, impartiality, and efficiency to ensure school effectiveness and promote public confidence in the education system



Ministry of Education and Youth

September, 2010

Fellow Education Stakeholders,

As I pen this message, I am mindful of the hard work and perseverance it took for us to get to this point in the establishment of the Belize Teaching Service Commission. I am also mindful that our hard work must continue to improve our education system for all Belizeans to ensure access to a quality education for their own personal development and for the development of Belize.

With the establishment of a Teaching Service Commission, it is considered that much benefit would be derived to the system of education in Belize and, more importantly, the quality of education imparted. With the broad-based composition of the Teaching Service Commission to administer regulations pertaining to the teaching services, efficiency, transparency and increased trust and confidence in the management of the system would be derived to the benefit of all concerned. Certainly, the establishment of the Teaching Service Commission seeks to safeguard the interests of all stakeholders by raising the status of teachers and simultaneously increasing public confidence in the teaching services. In this regard, the Teaching Service Commission shall ensure that our children benefit from qualified teachers and furthermore that the rules and regulations governing the terms and conditions of employment of teachers are applied fairly to all teachers free from political, religious or other influence. Managements will be able to hold teachers accountable and teachers will be treated fairly without fear or favour. Parents and students will thus benefit from a better quality of education from a qualified, accountable and fairly treated teaching force. Ultimately this will contribute to the professionalization of the teaching service.

Finally and significantly, the role of the Ministry of Education would be enhanced with more focus placed on policy development and implementation, management of change and issues of a developmental nature.

I close with a word to members of the Commission. You have been entrusted with a great responsibility. In this regard, I ask that you remember that while you may be appointed from a particular stakeholder group, you are called not to represent that particular interest but to apply the law fairly in the best interests of education. You are therefore called to exercise your duty impartially without fear or favour. I wish to thank you all for your continued service to education and to Belize.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Faber'.

Hon. Patrick Faber

Minister of Education and Youth

EXTRACTS FROM
BELIZE EDUCATION AND TRAINING ACT, 2010

PART V - Belize Teaching Service Commission

15. (1) There is established for Belize a Commission to be called the Belize Teaching Service Commission.
- (2) The Commission established pursuant to subsection (1) shall consist of twelve members selected and appointed as follows:
- (a) A chairman appointed by the Governor General acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition, the National Council for Education and the National Council for Technical and Vocational Education and Training;
- (b) eleven other members appointed by the Minister as follows:
- (i) the Chief Education Officer, *ex-officio*;
 - (ii) the Director of the Commission's Secretariat who shall serve as Secretary to the Commission, *ex-officio*, (nonvoting power);
 - (iii) one representative from General Managers of Government-aided Primary Schools selected by the General Managers of Government-aided Primary Schools at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of the General Managers are present;
 - (iv) one representative from Boards of Management of Government-aided Secondary Schools, who is not an *ex-officio* member of such boards, selected by chairpersons of the Boards of Management of Government-aided Secondary Schools at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of chairpersons of Boards of Management of Secondary Schools are present;
 - (v) one representative from Boards of Management of Government-aided Tertiary or Post Secondary institutions, who is not an *ex-officio* member of such Managing Authorities, selected by the chairpersons of Boards of Management of Tertiary or Post Secondary institutions at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of chairpersons of Boards of Management of Tertiary or Post-Secondary institutions are present;
 - (vi) one representative from Boards of Management of ITVET Institutions, who is not an *ex-officio* member of such boards, selected by chairpersons of the Managing Authorities of TVET Institutions at a meeting specially convened by the Ministry for that purpose at which more than fifty percent of the chairpersons of Managing Authorities of TVET institutions are present;
 - (vii) one representative of the largest registered teachers' union;
 - (viii) three representatives of parents each selected from among chairpersons of the respective PTA's of the Northern Districts, Central Districts, and Southern Districts, subject to subsections (5), (6) and (7);
 - (ix) one representative of the churches jointly selected by the Council of Churches and the Belize Evangelical Churches Association.
- (3) No person shall be qualified to be appointed as a member of the Commission if he is a member of the National Assembly or, if he holds, or is a candidate for any elected office.

- (4) Save in respect of the *ex-officio* members, a person shall not be appointed as a member of the Commission if he holds or is acting in any public office.
- (5) A representative under subsection (2) **(b)(viii)** does not qualify for the appointment where such person:
- (a)** is not an elected, executive member of the PTA in the respective districts at the time of appointment;
 - (b)** is represented by other categories of representation under subsection (2);
 - (c)** is an employed teacher; or
 - (d)** is a member of the District Education Council under section 3 (3).
- (6) The Ministry may convene special meetings of the authorities under subsection (2) **(b)(iii), (iv), (v), (vi)** and (viii) for the purpose of selection of persons for nomination to the Commission.
- (7) The Minister may by Rules made under this Act prescribe the conditions and the manner of selecting representatives under subsection (2) **(b) (viii)** so that all denominational schools are equally represented.
16. (1) There is established a Secretariat, to be called the Belize Teaching Service Commission Secretariat which shall be charged with the performance of the administrative and management functions of the Belize Teaching Service Commission.
- (2) The Secretariat shall provide such information and support to enable the Belize Teaching Service Commission to execute its functions in accordance with approved policies of the Ministry.
17. (1) The Belize Teaching Service Commission shall enforce.
- (a)** standards set by the Ministry for entry into teaching to assure the quality and status of the Belize teaching force and the quality of the delivery of education; and
 - (b)** all regulations governing the conditions of service of teachers with respect to employment, appointment, transfer, discipline and termination of teachers in government and government-aided preprimary, primary, secondary, tertiary and TVET institutions subject to the provisions of sections 19 and 21 of this Act.
- (2) The Commission shall have the power to
- (a)** verify and ensure compliance with standards, set by the Ministry, and regulations prescribed in this Act and Rules made thereunder for employment of teachers,
 - (b)** maintain a database of teachers,
 - (c)** maintain a Register of Appointed Teachers,
 - (d)** approve the appointment of teachers to the teaching service,
 - (e)** approve transfer of teachers,
 - (f)** approve such leave as long leave, study leave and maternity leave, extended sick leave and any other leave extending beyond ten days,
 - (g)** approve secondment and posting as itinerant resource officer,

- (h) approve disciplinary action, for major offences, against teachers in the teaching service or recommend the imposition of appropriate sanctions against managing authorities, for government and government-aided pre-schools, primary and secondary schools, and TVET institutions, in accordance with this Act and Rules made under this Act, and all other applicable laws.
 - (3) The Commission shall collaborate with the Chief Education Officer to help Managing Authorities achieve quality leadership in the administration of matters related to the employment and conditions of service of teachers through a system of support, guidance, training, and monitoring.
 - (4) The Commission, in the exercise of its functions under this Act shall recommend the imposition of appropriate sanctions against any Managing Authority or Proprietor which fails to comply with the provisions made under this Act and Rules made thereunder for matters related to the employment and conditions of service of teachers.
 - (5) The Commission shall, in the exercise of its functions under this Act, not be subject to the direction or control of any person or authority.
18. Subject to the foregoing provisions of this Part, the Constitution of the Commission shall be as prescribed in the Third Schedule to this Act.

PART VI - Teaching Service Appeals Tribunal

19. (1) There is hereby established for Belize a Teaching Service Appeals Tribunal (hereinafter referred to as the “Tribunal”) to hear appeals as set out in section 20.
- (2) The Tribunal shall consist of four members who shall be appointed by the Prime Minister as follows:
- (a) an attorney-at-law of not less than five years standing, who shall be the Chairperson;
 - (b) the Labour Commissioner;
 - (c) the chairperson of the National Council for Education or his nominee;
 - (d) the chairperson of the National Council for Technical and Vocational Education and Training or his nominee;
- (3) No person shall be qualified to be appointed as a member of the Tribunal if he is a member of the Commission.
20. (1) The functions of the Tribunal shall be as follows:
- (a) to hear appeals from the decisions of managing authorities to transfer, dismiss or take other disciplinary action against teachers in the teaching service;
 - (b) to hear appeals against the decisions or determinations of the Commission taken or made in the lawful exercise of its functions;
 - (c) to perform such other functions and to hear such other appeals as are specified in this Act or as may be prescribed by Regulations made under this Act.
- (2) Any person who is aggrieved by a decision of a Managing Authority or the Commission falling within paragraphs (a) to (c) of subsection (1) above may appeal to the Tribunal within such time and in such manner as may be prescribed by Regulations made under this Act.
- (3) On appeal, the Tribunal may confirm, set aside, modify or suspend the decision under appeal or take such other action as it thinks fit.

21. In the exercise of its functions under this Act, the Tribunal shall not be subject to the direction or control of any other person or authority.
22. Subject to the foregoing provisions of this Part, the Constitution of the Tribunal shall be as prescribed in the Fourth Schedule to this Act.

Third Schedule - Constitution of The Belize Teaching Service Commission

1. (1) There shall be a Chairman, Vice-Chairman, and Secretary of the Commission -
 - (a) the Chairman shall be appointed by the Governor General in accordance with section 15 (2) (a) of this Act;
 - (b) the Director of the Commission's Secretariat shall serve as secretary to the Commission, *ex officio*; the secretary shall not have a vote.
 - (2) Each nominating body shall as soon as possible after the commencement of this Act, furnish to the Minister the names of the persons whom they nominate for appointment under section 15 (2) (b).
 - (3) If any vacancy occurs in the membership of the Commission such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.
 - (4) A nominating body may at any time by instrument in writing addressed to the Minister cancel the nomination of any person nominated by it.
 - (5) Whenever pursuant to subsections (3) and (4) above the occasion requires, the nominating body shall submit to the Prime Minister the name of an additional person in place of any person whose nomination has been cancelled.
 - (6) The names of all members of the Commission as first constituted and every change in the membership thereof shall be published in the *Gazette*, and in at least one newspaper of general circulation in Belize.
 - (7) The Commission shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.
2. (1) Subject to the provisions of this Schedule, a member of the Commission shall hold office for a period not exceeding three years and each member shall be eligible for reappointment; however, in no case shall any member be eligible for reappointment for more than two consecutive terms.
 - (2) Subject to the provisions of this section of this schedule, the office of a member of the Commission shall become vacant-
 - (a) at the expiration of three years from the date of his appointment or such earlier time, being not less than two years, as may be specified in the instrument by which he was appointed;
 - (b) if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such; or
 - (c) if the chairman, or any member of the Commission, submits his resignation in writing to their nominating body and to the Prime Minister and from the date of the receipt by the Prime Minister of such instrument such member shall cease to be a member of the Commission.

- (3) A member of the Commission may be removed from office only for inability to perform the functions of his office (whether arising from infirmity of mind or body or from any other cause) or for misbehaviour, and shall not be so removed except in accordance with the provisions of this subsection and subsections (4) and (6) immediately following.
 - (4) A member of the Commission may be removed from office if the question of the removal has been referred to the Belize Advisory Council by the Prime Minister in accordance with the next following sub-paragraphs:
 - (a) The Belize Advisory Council shall sit in tribunal in the manner provided for in section 54 of the Belize Constitution; and
 - (b) The Belize Advisory Council shall enquire into the matter and report on the facts thereof to the Governor-General whether that member should be removed under this section.
 - (5) If the question of removing a member of the Commission from office has been referred to the Belize Advisory Council under the preceding subsection, the Prime Minister may suspend the member from performing the functions of his office, and any such suspension may at any time be revoked by the Prime Minister and shall in any case cease to have effect if the Belize Advisory Council advises the Prime Minister that the member should not be removed from office.
 - (6) There shall be paid to the chairman and other members of the Commission such remuneration, if any (whether by way of salaries or travelling or other allowances) as the Prime Minister may determine.
3. (1) The Prime Minister on the application of any member of the Commission may grant to such member leave of absence for any period not exceeding six months and may appoint some other person to act as a member during the period of leave of absence so granted:
- (2) Provided that where leave of absence is granted to a nominated member, a person nominated by the nominating body concerned in accordance with the provision of section 1 (4) above shall be appointed to act.
4. (1) The Commission shall meet at least once every month and at such other times as may be necessary or expedient for the transaction of business and such meetings shall be held at such places and times and on such days as the Commission may determine:
- (a) In the case of the absence or inability of the chairman to act, the vice-chairman shall exercise the functions of the chairman.
 - (b) The chairman or, in the case of the absence or inability of the chairman to act, the vice chairman shall preside at the meetings of the Commission, and when so presiding the chairman, vice-chairman shall have a casting vote.
- (2) Subject to the provisions of this Schedule the Commission may regulate its own proceedings.
 - (3) The Chairperson may provide for a Recording Secretary who shall be responsible for the minutes of all meetings of the Commission and who shall liaise with the Secretary to finalize the agenda for meetings, and ensure that notice of and documents relevant to the business of meetings are circulated as required.
 - (4) The quorum of the Commission shall be six voting members including the chairman or the vice chairman.
 - (5) The decision of the Commission or of a committee appointed by it shall be by a majority of votes of the members present and voting and forming a quorum and in addition to an original vote the chairman or any person presiding at a meeting shall have a casting vote in any case in which the voting is equal.
 - (6) The validity of any proceedings of the Commission shall not be affected by any vacancy amongst the members of the commission or by any defect in the appointment of a member thereof.
 - (7) Notwithstanding anything to the contrary no act done or proceeding taken under this Act by the Commission shall be questioned on the ground of any omission, defect or irregularity not affecting the merits of the case.

- (8) No member of the Commission shall be personally liable for any act or default of the Commission done or omitted to be done in good faith in the course of the operation of the Commission.
5. The chairman may at any time call a special meeting of the Commission and shall call a special meeting to be held within seven days of a written request for that purpose addressed to him by any two members of the Commission.
6. (1) The Commission shall have power to appoint a Disciplinary Committee, an Appointments Committee and such other committees from among its members as it may consider necessary from time to time and each such committee shall, subject to the directions of the Commission, have power to regulate its own proceedings.
- (2) The Commission may delegate to any committee the power and authority to carry out on its behalf such functions as the Commission may determine so, however, that any such delegation shall be without prejudice to the performance of those functions by the Commission.
- (3) The Chairperson of any standing or ad hoc committee shall present the results of the committee's proceedings to the Commission for a final decision.

FOURTH SCHEDULE - Constitution of the Teaching Service Appeals Tribunal

1. (1) There shall be a Chairperson and Secretary of the Tribunal.
- (2) The Chairperson and other members shall be appointed by the Prime Minister in accordance with section 19 of the Act;
- (3) Each nominating body shall as soon as possible after the commencement of this Act, furnish to the Prime Minister the names of the persons whom they nominate for appointment under section 19 (2) (c) and (d).
- (4) A nominating body may at any time by instrument in writing addressed to the Prime Minister cancel the nomination of any person nominated by it.
- (5) Whenever pursuant to subsection (3) the occasion requires, the nominating body shall submit to the Prime Minister the name of an additional person in place of any person whose nomination has been cancelled.
- (6) The names of all members of the Tribunal as first constituted and every change in the membership thereof shall be published in the *Gazette*, and in at least one newspaper of general circulation in Belize.
- (7) The Tribunal shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.
2. (1) The chairman and other members of the Tribunal shall be appointed by the Prime Minister and shall hold office for such period not exceeding three years, as the Prime Minister shall determine and shall be eligible for reappointment.
- (2) In the case of the absence or inability to act of the chairman of the Tribunal, the Prime Minister may appoint a suitably qualified person to act temporarily as chairman.
- (3) In the case of the absence or inability to act of any member of the Tribunal other than the chairman, the Prime Minister may appoint any person to act temporarily in the place of such member.
- (4) Any member of the Tribunal, other than the chairman, may at any time resign his office by instrument in writing addressed to the Prime Minister and such resignation shall take effect as from the date of the receipt of such instrument by the Prime Minister.
- (5) If any vacancy occurs in the membership of the Tribunal such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for

the remainder of the period for which the previous member was appointed, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.

- (6) There shall be paid to the chairman and other members of the Tribunal such remuneration whether by way of honorarium, salary or fees and such allowances as the Prime Minister may determine.
3. (1) The quorum necessary to constitute a sitting of the tribunal shall include the Chairperson and any other two members
.
 - (2) Except as otherwise expressly provided in the Act, the Tribunal may regulate its procedure and proceedings as it thinks fit.
4. (1) The decision of the Tribunal shall be by a majority of votes of the members present and voting and, in addition to an original vote, the chairman shall have a casting vote in any case in which the voting is equal.
 - (2) The Tribunal shall make its award without delay and where practicable within twenty-one days from the date of reference.
 - (3) An award on any matter referred to the Tribunal for settlement may be made retroactive to such date not being earlier than the date on which the dispute or question to which the award relates first arose.
 - (4) The decision of the Tribunal as to the date on which the dispute arose shall be final.
 - (5) Where any question arises as to the interpretation of any award of the Tribunal, any party to the award may apply for a decision on such question and the Tribunal shall decide the matter after hearing the parties or without such hearing if the consent of the parties has been first obtained.
 - (6) The decision of the Tribunal referred to in subsection (4) shall be notified to the parties and shall be binding in the same manner as the decision in an original award.

**EXTRACTS FROM THE EDUCATION AND TRAINING ACT, 2010
AND THE EDUCATION (AMENDMENT) RULES, 2012 WHICH DEFINE THE ROLE OF
THE TEACHING SERVICES COMMISSION AND ITS RELATIONSHIP WITH OTHER
GROUPS IN THE EDUCATION SECTOR**

NOTE:

This section of the Manual:

1. Lists each function of the Commission as outlined in Section 17 of the Education & Training Act;
2. Links this to other sections of the Act which regulates this function of the Commission; and
3. Outlines the Education Rules which detail the processes of these sections of the Act.

BROAD FUNCTIONS OF THE COMMISSION – SECTION 17

Education & Training Act 2010 Section 17 (1)
<p>The Belize Teaching Service Commission shall enforce:</p> <ol style="list-style-type: none"> (a) Standards set by the Ministry for entry into teaching to assure the quality and status of the Belize teaching force and the quality of the delivery of education; and (b) All regulations governing the conditions of service of teachers with respect to employment, appointment, transfer, discipline and termination of teachers in government and government-aided preprimary, primary, secondary, tertiary and TVET institutions subject to the provisions of sections 19 and 21 of this Act.
Education & Training Act 2010 Section 17 (2)
<p>The Commission shall have the power to</p> <p>(a) Verify and ensure compliance with standards, set by the Ministry, and regulations prescribed in this Act and Rules made thereunder for employment of teachers,</p>

EDUCATION RULES

BELIZE TEACHING SERVICE COMMISSION

Selection of representative
s of parents to
Commission.

- 9B.- (1) Pursuant to section 15 (3), (4) and (5) of the Act, and prior to the date of the special meeting convened pursuant to section 15(6) of the Act, the appropriate authority shall nominate one person, from each of the regions, to be a parent representative on the Commission.
- (2) The appropriate authority shall ensure that denominational primary and denominational secondary schools are given the opportunity to nominate

qualified persons from denominational primary and denominational secondary schools from which nominations pursuant to sub-rule (1) may be made.

(3) Where a nomination is made under sub-rule (2), the denominational primary school or denominational secondary school, as the case may be, shall submit to the appropriate authority proof of election to office of the nominated person, in accordance with section 15 (2) (b) (viii) and (5) of the Act .

(4) The appropriate authority shall immediately after the nominations are made, inform the Ministry of the persons nominated under sub-rule (1) and shall provide proof of election to office of those persons so nominated, in accordance with section 15 (2) (b) (viii) and (5) of the Act

(5) Where the Ministry convenes a special meeting in accordance with section 15(6) of the Act, for the purpose of selection of representatives of parents under section 15(2)(b)(viii) of the Act, the nominees shall elect from amongst themselves the person from each region to represent parents on the Commission.”.

“Appeal against
Chief Education
Officer’s decision
to revoke or
suspend licence.

63.- (1) A person aggrieved by the decision of the Chief Education Officer to revoke or suspend his licence may within thirty days of receipt of the decision, appeal to the Teaching Service Appeals Tribunal. Such an appeal shall be made on Form EDR 3 prescribed in Schedule 3 to these Rules.

(2) The Appeals Tribunal shall meet within twenty-one days of receipt of the appeal to make its final decision on the matter based on the merits of the case.

(3) The decision of the Teaching Service Appeals Tribunal shall be communicated to the appellant, the Commission and the Chief Education Officer”.

MAINTENANCE OF A DATA BASE OF TEACHERS

Education & Training Act 2010	
Part V Section 17 (2)	Part VIII Section 27 (1) & (2)
<i>(b) Maintain a database of teachers</i>	27. (1) The Commission shall cause the Secretariat to maintain a register to be known as the Teachers' Database in which it shall record particulars of teachers, including all particulars pertaining to employment and appointment history, as required by this Act and Rules made under this Act.
<i>(c) Maintain a Register of Licensed and Appointed Teachers</i>	27. (2) The Commission shall cause the Secretariat to maintain a register to be known as the Register of Appointed Teachers in which it shall record the particulars of teachers who have been appointed which particulars shall be prescribed in Rules made under this Act

EDUCATION RULE

- 56 (6) For the purpose of these Rules, the Commission shall cause to be maintained a database of teachers which shall include records of teachers in which pertinent information about all licensed teachers shall be recorded including their biographical data, type of licence, level at which licensed to teach, and any other information regarding the past and current status of the teacher.”

EMPLOYMENT OF TEACHING STAFF

Education & Training Act 2010	
Section 17 (2)	Part VIII Section 29
<i>(d) Approve the appointment of teachers to the teaching service</i>	<p>29.(1) A person who does not possess a valid license to teach shall not be employed as a teacher.</p> <p>(2) A person in possession of a full license to teach is eligible for temporary employment which employment shall be for a probationary period and for subsequent appointment.</p> <p>(3) At the time of first employment under a given Managing Authority, a teacher may be given temporary employment for a probationary period not exceeding two calendar years provided that the teacher possesses a full licence in accordance with this Act and Rules made under this Act.</p> <p>(4) Notwithstanding the preceding, the Managing Authority supervising the probationary period may recommend appointment at the expiry of twelve months.</p> <p>(5) A teacher shall be eligible for appointment by the Managing Authority with the approval of the Commission if such a teacher possesses a Full Licence and successfully completes a period of probation in accordance with this Act and Rules made under this Act.</p> <p>(6) An appointed teacher who fails to meet the requirements to maintain a Full Licence to teach shall be struck off the Register of Appointed Teachers and shall not be eligible for continued employment or reappointment until he fulfills the requirements to maintain a Full Licence in accordance with this Act and Rules made under this Act.</p> <p>(7) A teacher in possession of a licence other than a Full Licence shall not be eligible for temporary employment on probation as a prerequisite for appointment but shall be eligible for temporary employment for a period not exceeding five (5) calendar years to allow the teacher to acquire the necessary qualifications for a Full Licence in accordance with this Act and Rules made under this Act.</p>

(8) A period of temporary employment, or any part thereof, may, on the recommendation of the Managing Authority and approval of the Commission, be regarded as service on probation for the purposes of appointment to the teaching service provided that the teacher meets the requirements for a Full Licence within the prescribed period and the Managing Authority recommends appointment based on the performance appraisals of the teacher.

(9) A teacher who fails to acquire the necessary qualifications for the Full Licence within the period prescribed in this section shall have his services terminated and that teacher shall not be eligible for further employment at any school or institution unless or until he acquires, at his own expense, the necessary qualifications for a Full Licence.

(10) The period of temporary employment, or any part thereof, during which a teacher failed to acquire the necessary qualifications for a full license shall not be considered as service on probation for the purposes of appointment.

(11) A teacher in possession of a valid license to teach may be given temporary employment for an appropriate period in the case of filling temporary vacancies that may arise during the course of the school year.

(12) A Managing Authority may with the approval of the Commission appoint a teacher where the person fulfills the following conditions:

- (a) possession of the prescribed educational qualifications;
- (b) possession of the appropriate teaching licence;
- (c) any other condition, which the Minister may by Rules prescribe.

(13) Subject to this Act, and Rules made thereunder, a Managing Authority may, with the approval of the Minister establish a code of conduct for teachers within its management, which shall be recognized as the applicable conditions of service for such teachers.

EDUCATION (AMENDMENT) RULES

“Principals
and Vice-
principals.

- 36.- (1) Every school shall have a Principal who shall be responsible for the implementation of management decisions and policies and for working with the Managing Authority to ensure that students at the school receive the best education possible.
- (2) A Principal shall be ultimately responsible for the day to day administration of the school, for developing, in consultation with teachers and staff, parents and students as appropriate, school rules and policies and recommending such to the School Board or Committee or Board of Management, for providing educational leadership and leading development and improvement of the school, for liaising with parents and the community and in carrying out this responsibility the Principal shall be assisted by the Vice Principal.
- (3) Notwithstanding sub-rule (2), a Principal shall have specified duties as an *ex-officio* member of the School Board or School Committee or Board of Management as applicable.
- (4) A school may have one or more Vice-Principals who are responsible for assisting the Principal in the day to day administration of the school or institution, for developing, in consultation with teachers and staff, parents and students as appropriate, school rules and policies and recommending such to the School Board or Committee or Board of Management, for providing educational leadership and leading development and improvement of the school, for liaising with parents and the community and in deputising for the Principal as may be required.
- (5) Principals and Vice-Principals shall be assigned according to the staffing schedule for Government and Government-aided schools published from time to time by the Ministry.” .

“Duties of
Principals and
Vice-Principals.

- 37.-(1) Responsibilities of the Principal and Vice- Principals related to the administration of the school shall be as specified in their respective job descriptions and shall include -
- (a) overseeing admission, placement, promotion and graduation of students;
 - (b) enforcing school rules and maintaining a safe and proper school environment and culture conducive to schooling;
 - (c) assigning, directing and assessing staff;
 - (d) organising the registration of students in examination and other processes;
 - (e) maintaining school records as prescribed by the Act and these Rules and such other records generated from the application of these Rules and such other procedures and regulations prescribed by the Ministry;
 - (f) monitoring the state of facilities and the availability of materials, equipment and furniture;

- (g) preparing and adjusting, as necessary, the school's annual budget, and supervising financial and other business transactions as required; and
 - (h) preparing such reports as may be required by the Managing Authority and the Ministry.
- (2) Principals and Vice-Principals are required to provide educational leadership to the school especially in the areas of pedagogy, curriculum and assessment. In so doing, Principals and Vice-Principals shall -
- (a) ensure establishment of quality assurance mechanisms;
 - (b) lead and coordinate school improvement through school self-evaluation, identification of areas for improvement and developing and implementing school improvement plans on a continuing basis;
 - (c) direct the organisation and implementation of the school curriculum, annual teaching plans, instructional schedules, annual activity plans, and book lists;
 - (d) undertake the clinical supervision of teachers and provide appropriate support for teachers in areas that include child-centred teaching strategies, relevant, ongoing assessment of and for learning and effective classroom management practices;
 - (e) liaise with the Managing Authority, the Ministry and other agencies on matters relating to the introduction of new academic policies and practices relating to student assessment, textbooks and other materials or teaching practices in the school;
 - (f) identify staff development needs and coordinate staff development;
 - (g) seek the participation of students in inter-school events at local, district and national levels and facilitate intra-school activities and clubs which contribute to the overall development of the students; and
 - (h) teach as may be required.
- (3) Principals and Vice-Principals shall be the primary liaison between the school and parents specifically and between the school and the community generally; in this regard Principals and Vice-Principals -
- (a) shall ensure that policies and rules of the school are communicated to parents;
 - (b) shall invite parent(s) or guardian(s) to meet the Principal, Vice-Principal and staff at least once in every term or semester to receive reports on school activities for the term or semester; and
 - (c) shall involve parents and members of the general community in school activities, including the development of school rules and policies and school self-evaluation and school improvement planning and implementation as appropriate.

- (4) Principals shall also have responsibilities in relation to the overall management of the school; in this regard, Principals -
 - (a) shall perform duties relating to membership on School Boards or School Committees, as appropriate;
 - (b) under direction of the Managing Authority, shall guide the formulation of school policies and rules;
 - (c) under direction of the Managing Authority, shall guide the development of strategies and plans to meet operational and development needs of the school or institution;
 - (d) shall spearhead implementation of school development plans; and
 - (e) under direction of the Managing Authority, shall participate in recruitment, selection and disciplining of staff.

- (5) A Principal shall not be required to report for duty earlier than fifteen minutes before the commencement of classes unless exceptional circumstances exist requiring the principal to report for duty earlier than the prescribed fifteen minutes.” .

“Heads of Department

38.-(1) Secondary schools and ITVET institutions may have departments of studies led by a Head of Department.

- (2) A Departments of Study shall consist of -
 - (a) one or more related disciplines; and
 - (b) no fewer than five teachers each of whose teaching load in the department is not less than one third of the teacher’s total teaching hours.

- (3) Responsibilities of the Heads of Department relating to the administration of the school or institution include -
 - (a) assisting with overseeing admission, placement and graduation of students;
 - (b) supporting the enforcement of school rules and maintenance of a safe and proper school environment and culture conducive to learning;
 - (c) advising and assisting in the deployment and assessment of staff pertaining to the department;
 - (d) assisting in the registration of students in examinations and other processes;
 - (e) maintaining such records as are pertinent to the department and school;
 - (f) monitoring the state of facilities and the availability of materials, equipment and furniture for the department;
 - (g) managing equipment, and the re-ordering, storing and using of materials, and supplies for the department;
 - (h) accounting for spending within the department’s budget;
 - (i) assisting in preparing and adjusting, as requested, the department’s annual budget; and
 - (j) preparing such reports as may be required by the Principal.

- (4) A Head of Department shall be required to provide educational leadership to the school or institution especially in the areas of pedagogy, curriculum and assessment; in this regard, a Head of Department shall -
- (a) plan, implement and review the department's curriculum within the framework of new academic policies and practices relating to student's assessment, textbooks and other materials;
 - (b) liaise with the Principal and Vice-Principals and teachers on matters relating to the introduction of new academic policies and practices relating to student assessment, textbooks and other materials or teaching practices in the school or institution;
 - (c) assist in the clinical supervision of teachers and provide appropriate support for teachers in areas that include child-centred teaching strategies, relevant, ongoing assessment of and for learning and effective classroom management practices;
 - (d) assist in identifying staff development needs and coordinate staff development activities;
 - (e) assist the Principal and Vice-Principals in organising the participation of students in inter and intra-school events and activities which contribute to the overall development of the students; and
 - (f) teach as may be required.

“39.-(1) Every Government and Government-aided school shall be staffed in accordance with the staffing schedule set out in the Schedule 1 to these Rules.”.

“Duties of teachers.

- 40.- (1) A teacher is required, under the supervision of the Principal, Vice-Principal, or Head of Department as applicable, to develop annual and weekly teaching plans with reference to the national and school curriculum and the status and needs of his students in relation to the specified learning outcomes in the national curriculum.
- (2) A teacher is required to prepare for and to conduct classroom and other intra-mural educational activities and to participate in extra-mural educational activities in accordance with his teaching plans and with the school policies and plan for the education of students.
- (3) A teacher is required to support the enforcement of school rules and maintenance of a healthy and secure school environment and culture conducive to learning.
- (4) A teacher is required to regularly assess student progress, maintain records of such assessment and regularly report on student attainment to parents, Principal and community stakeholders.
- (5) A teacher is required to supervise and to monitor the well-being of students in his care at all times and to identify and refer students requiring special attention to the administration.

(6) A teacher is required to maintain a record of student attendance and other pertinent school records.

(7) A teacher is required to participate in official school activities as determined by the Principal and Managing Authority such as admission, placement and graduation of students.

(8) A teacher is required to participate in home-school and community liaison efforts, including PTA meetings, for the development of the school and improvement of communication and working relationships with parents and the community.

(9) A teacher is required to participate in educational and professional development activities as determined by the Principal, Managing Authority and Ministry.

(10) A teacher is required to participate in official civic ceremonies and activities, such as activities commemorating Belize's Independence.

(11) A teacher shall not be required to report for duty earlier than ten minutes before the commencement of classes unless exceptional circumstances exist requiring the teacher to report for duty earlier than the prescribed ten minutes.”.

“Filling of vacancies.

66.-(1) The Managing Authority of a Government and Government-aided pre-school, primary, secondary, post secondary, technical or vocational school or institution shall recruit and select teachers and other members of staff in accordance with the following procedures -

- (a) advertising the vacancy and inviting applications for the post;
- (b) receiving the applications and verifying the particulars of the applicants, especially the possession of a valid licence to teach at the level;
- (c) selecting from among the applicants a shortlist of persons to be interviewed based on the merits of the applications;
- (d) conducting interviews with the short-listed applicants and assessing the applicants for suitability for the post on the basis of qualifications and merit;
- (e) ranking the applicants interviewed in order of eligibility giving preference to applicants in possession of a Full Licence or Special Licences where applicable;
- (f) submitting to the Commission all necessary and pertinent information on the person selected for employment as professional staff. Information required to be submitted includes
 -
 - (i) licence to teach, in all cases;
 - (ii) professional, academic and other qualifications and employment history (where applicable), in all cases;
 - (iii) medical certificate, in all cases;
 - (iv) police record, in all cases;

- (v) release letter or letter of resignation, where appropriate;
- (vi) draft notice of probation, in the case of a teacher entering the profession with a Full Licence;
- (vii) draft notice of temporary employment, in the case of a teacher in possession of licence to teach other than a Full Licence
- (viii) a copy of the draft contract, in all cases; and
- (ix) a summary of information on all applicants interviewed in a form and manner approved by the Commission

(2) In the case of a vacancy for the post of Principal or Vice Principal of a Government or Government-aided school, the Managing Authority shall advertise the post publicly.

(3) A person shall not be employed as Principal or Vice Principal simply by virtue of his post as Vice-Principal but such person may, if no less qualified for the post than other applicants, be given first consideration.

(4) In filling a teaching vacancy on the staff of a government or government aided school, every attempt shall be made to fill the vacancy with a teacher in possession of a Full Licence to teach in Belize and where a suitably qualified teacher in possession of a Full Licence is not available, a retired teacher with a Full Licence may be employed subject to the approval of the Commission.

(5) A Managing Authority which seeks, with the approval of the Commission, to employ an appointed teacher who has requested a release from his current Managing Authority, shall not require the teacher to serve a probationary period for purposes of appointment under its management.

(6) A teacher in possession of a Full Licence whose employment has been terminated by a Managing Authority, with the approval of the Commission, but which termination has not resulted in the suspension or revocation of his licence to teach and who seeks employment under a different Managing Authority may be offered temporary employment on probation in accordance with section 29(2) and (3) of the Act, and shall be eligible for appointment subject to satisfactory performance appraisals by the Managing Authority offering him employment.

(7) A vacancy for a Principal, Vice Principal or teacher of a government or government aided pre-school or primary school may be filled with the approval of the Commission by transfer of a person currently employed as a Principal, Vice Principal or teacher, respectively, on the established staff of the relevant management subject to the provisions for the transfer of teachers as stipulated in section 31(1) of the Act and any other relevant provisions prescribed in these Rules.

(8) In filling a vacancy the Managing Authority shall not directly or indirectly discriminate among applicants on the basis of gender, race, religion, ethnicity, socio-economic status or political affiliation.

(9) Every vacancy filled pursuant to this rule is subject to the prerequisites to licensing and employment of professional staff in accordance with provisions of the Act and these Rules and in relation to the employment of a principal or vice principal the contract of employment shall provide for a probationary period of up to two years.

(10) Following verification and approval of an applicant's eligibility for employment as a teacher by the Commission, the Managing Authority may offer temporary employment to the applicant for -

- (a) a probationary period of up to two years from the date of employment, if the person is in possession of a Full Licence to teach provided that such applicant shall be eligible for appointment upon successful completion of the probationary period;
- (b) one year from the date of employment if the person is in possession of a Provisional Licence to teach, provided that such applicant may be eligible for continued temporary employment on a year to year basis up to a maximum of five years, subject to satisfactory performance as determined by performance appraisals, to afford him the opportunity of meeting the requirements for a Full Licence, in accordance with section 29(7) of the Act;
- (c) an appropriate period to a person with a valid Licence to teach to fill a temporary vacancy which vacancy may arise during the course of a school year; or
- (d) a period of up to two years in the first instance to a person in possession of a Special Licence where the circumstances warrant the temporary employment of such person and any further temporary employment beyond the initial two years may be offered to such person for additional periods of not more than two years in each instance where the circumstance so warrant.”.

“Filling of temporary vacancies.

66A. A temporary vacancy created by a teacher who -

- (a) proceeds on study leave,
- (b) proceeds on maternity leave,
- (c) is granted extended sick leave,
- (d) is seconded, or
- (e) is posted as an Itinerant Resource Officer,

shall be filled in accordance with rule 66 and shall be subject to an employment contract in accordance with rule 70 (5).”.

“Acting
appointments.

67.-(1) The Managing Authority, with the approval of the Commission, may appoint a person to act in the post of Principal or Vice Principal provided that -

- (a) only persons qualified in accordance with the provisions of the Act and these Rules shall be appointed to act in such posts;
- (b) any acting appointments against a vacant post shall not exceed one year; and
- (c) any acting appointments against a non-vacant post shall be for a maximum period of one year but which period may be extended on an annual basis.

(2) If the appointment of a person who is acting in a vacant post is confirmed by the Managing Authority, with the approval of the Commission, that person shall receive the full salary of that post from the date on which he assumed duties in the post, or the date on which the post became vacant, whichever is later.”.

“Contracts of
employment

70.-(1) Following approval by the Commission pursuant to Rule 66, a Managing Authority may offer employment to a person so selected to teach or to be Principal or Vice-Principal in a pre-school, primary, secondary, or technical and vocational school or institution.

(2) Subject to sub-rule (1), in offering an employment contract to a teacher, principal, or vice-principal, a Managing Authority shall offer one of the following contracts, as applicable -

- (a) in respect of a teacher in possession of a provisional licence a temporary employment contract for one year from the date of employment, provided that such teacher may be eligible for continued temporary employment on a year to year basis up to a maximum of five years to afford him the opportunity of meeting the requirements for a Full Licence, in accordance with section 29 (7) of the Act, subject to satisfactory performance as determined by performance appraisals;
- (b) in respect of a teacher in possession of a Full Licence, an employment contract for a probationary period of a year but which may be extended for an additional year;
- (c) in respect of a teacher in possession of a Full Licence who has successfully served the probationary period as required under the Act, an employment contract for the remainder of the period post probationary service, but which may not exceed the period for which the licence is valid;
- (d) in respect of a teacher in possession of a Special Licence a temporary employment contract for a maximum period of two years in the first instance which temporary employment contract may be renewed for subsequent maximum periods of two years in each instance where the circumstances so warrant;
- (e) in respect of first time Principals or Vice-Principals in possession of a Full Licence and certification in education leadership in accordance with rule 64(3) a contract of employment for a

probationary period of up to two years and upon successful completion of the probationary period, as supported by performance appraisals, an employment contract for a period of three years subject to the maintenance of their Full Licence;

- (f) in respect of Principals or Vice-Principals in possession of a Full Licence or Provisional Licence, without more, a contract of employment on a year to year basis in accordance with rule 64(3).
- (g) in respect of a manager or Principal of a TVET institution in possession of a Special Licence, a contract of employment for a maximum period of two years.

(3) A contract offered pursuant to this rule shall be in accordance with the Code of Conduct for teachers approved pursuant to section 29(13) of the Act and shall be signed at the commencement of the contract period and witnessed by a third party.

(4) An employment contract between a Managing Authority and a teacher shall be in the Form EDR 7 set out in Schedule 3 and in addition to the content on the Form, shall specify the following, as applicable

- (a) the terms and conditions of the probationary period of employment, where applicable, which shall be in accordance with the Act and these Rules;
- (b) the date on which the probationary period of employment of the teacher becomes effective;
- (c) that the confirmation of appointment of the teacher is subject to the approval of the Commission and such appointment shall be subject to the successful completion of the probationary period;
- (d) the salary scale and entry point at which the teacher is to be paid, approved by the Ministry, in accordance with Government salary scales for teachers; and
- (e) any duties, approved school rules and other requirements as appropriate in accordance with the Act and these Rules.

(5) Where the employment of a teacher is for the purpose of temporarily replacing a teacher on study leave, maternity leave, extended sick leave, secondment, posting as an Itinerant Resource Officer, the terms and conditions and fixed period of the temporary employment shall be explicitly stated in the temporary employment contract and shall be in accordance with the Act and these Rules.

(6) A copy of every temporary employment contract executed under this Rule, along with copies of required documents, including an employment letter, the licence to teach, academic and professional qualifications, police record, medical certificate, references, birth certificate or other valid evidence of age and nationality and where warranted marriage certificate, and evidence of citizenship status or work permit shall be forwarded to the Commission.

(7) Notwithstanding the above, a contract of employment shall not contain terms as conditions precedent to the contract other than terms which are requirements under the Act and these Rules. ”.

“Appointment.

71.-(1) The appointment of a teacher is subject to the completion of a probationary period in accordance with section 29 of the Act and other applicable provisions of these Rules.

(2) A Managing Authority may -

- (a) after a minimum probationary period of one year from the date of employment, choose to extend the probationary period into the second year or with the approval of the Commission, may appoint or terminate the services of the teacher.
- (b) where a Managing Authority is desirous of appointing a teacher, extending the probationary period of a teacher into the second year, or terminating the service of a teacher who is on probation, the Managing Authority shall submit to the Commission
 - (i) every appraisal report, including the most recent appraisal report which must be made during the school term immediately preceding submission of a recommendation for appointment, extension of the probationary period or termination, and
 - (ii) evidence of the support provided to the teacher through the probationary period in accordance with rule 72 (1).
- (c) The form and manner for submission of the appraisal reports are as set out in the Schedule 4.
- (d) The Commission shall review and approve or not approve the submission made by the Managing Authority under paragraph (b).
- (e) In reviewing the submission under sub-rule (d), where the Commission finds a deficiency in the material or procedural requirements of the submission of the documentation required under rules 72 and 87, it shall request the Managing Authority to make good that deficiency within a reasonable time.
- (f) Where a Managing Authority fails to comply with a request of the Commission under sub-rule (e), the Commission may -
 - (i) decide on the matter without prejudice to the teacher;
 - (ii) recommend to the Chief Education Officer that appropriate action be taken against that Managing Authority in accordance with section 17(4) of the Act and section 46 of the Act, as applicable.

(3) A teacher may, where the Commission upholds a decision of the Managing Authority to terminate the services of that teacher -

- (a) apply for employment under a different Managing Authority; or
- (b) appeal to the Appeals Tribunal.

(4) Where the Commission upholds the recommendation of a Managing Authority for the appointment of a teacher, the effective date of appointment shall be retroactive to the date of employment commencing the probationary period and the probationary period served shall be recognised as a period of pensionable service.

(5) Where a Managing Authority extends the probationary period of a teacher, into the second year the Managing Authority shall inform the teacher in writing not later than the end the first year of probation.”.

“Probationary period.

72.-(1) During the period of probation, a teacher shall be -

- (a) provided with formative supervision including any necessary assistance to enable him to develop and maintain proper professional standards;
- (b) appraised at least two times in the first twelve month period and the first shall be conducted no earlier than the third month but no later than the fifth month and the second no earlier than the seventh month but no later than the ninth month and any such performance appraisals shall be discussed with the teacher.

(2) In the case of teachers, formative supervision and performance appraisals shall be conducted by the principal or an appropriate person appointed by the principal for that purpose.

(3) In the case of principal and vice principal teachers, formative supervision and performance appraisal shall be conducted by an appropriate person appointed by the Managing Authority for that purpose.

(4) The person conducting the appraisal shall share formal appraisal reports with the teacher appraised for review by the teacher and shall provide the teacher with an opportunity to participate in the appraisal process and comment on the reports immediately after completion of each report and the appraisal reports shall be submitted to the Commission immediately after completion and review by the teacher and the appraisal reports submitted to the Commission must be signed and dated by the teacher under appraisal, the appraiser and the Managing Authority.

(5) Should the probationary period extend into the second year, formative supervision shall continue and two additional performance appraisals shall be conducted in the second twelve month period and the conduct of the additional formal appraisals is subject to the same conditions as those of the first probationary year.

(6) The form and manner of submission of the formal appraisal reports are as set out in the Schedule 4.

(7) At the end of the probationary period, the temporary employment of a teacher may be terminated for failure to achieve a satisfactory level of performance as determined through appraisals and other measures.

(8) The Managing Authority shall, at least two months before the end of the probationary period, ensure that the final appraisal of a teacher who is temporarily employed is conducted and shall on the basis of the appraisal reports, make a recommendation on the appointment of the teacher and shall submit its recommendation not more than ten working days after the completion of the appraisal to the Commission for its approval.

(9) The Commission shall inform the teacher, through the Managing Authority, of its approval or otherwise of his appointment within twenty-one days of receiving the submission from the Managing Authority.”.

“Resignation and termination of service.

73.-(1) A teacher who intends to resign shall give the Managing Authority not less than one month’s notice of that teacher’s intention to resign.

(2) A teacher who fails to give the required notice of resignation under sub-rule (1) shall forfeit one month’s salary *in lieu* of notice.

(3) Notwithstanding sub-rule (1), where resignation is to take effect in a month in which the end of a school term or semester occurs resignation shall take effect at the end of the term or semester and the teacher shall complete all responsibilities including the submission of grades, grade books and any other required reports.

(4) Subject to this rule, a teacher who resigns after serving for one hundred and twenty consecutive school days under the same Managing Authority during that school year shall be entitled to receive one month’s salary beyond the effective date of resignation *in lieu* of vacation.

(5) Subject to this rule, a teacher who resigns and has served for one hundred and eighty consecutive school days under the same Managing Authority during one school year shall be entitled to the payment of salary for the months July and August of that school year.

(6) A Managing Authority may terminate the services of a teacher, subject to the approval of the Commission, if at any time during the teacher’s period of service -

- (a) the teacher’s performance is unsatisfactory based on a minimum of two performance appraisals conducted during one school year;
- (b) the teacher is guilty of a major offence under rule 92A (3) of these Rules.

(7) Where a Managing Authority terminates the services of a teacher, subject to the approval of the Commission, the teacher’s licence shall be revoked if at any time during the teacher’s service

- (i) the teacher is found guilty of one or more of the major offences listed in rule 92A(3)(b)(iii) to (xxiv) of these Rules;
- (ii) the teacher fails to meet the requirements to maintain a Full Licence in accordance with section 28(4) of the Act.

(8) In the case of a teacher not in possession of a Full Licence who is temporarily employed on a year to year basis and who fails to acquire the qualifications for a Full Licence during the five year period allowed, that teacher shall have his services terminated and section 29(9) of the Act shall apply.

(9) A Managing Authority shall, except where termination is for misconduct, give a teacher one calendar month's notice of the termination of his services, or pay the teacher one month's salary *in lieu* of notice.

(10) Subject to this rule and except where termination is for misconduct, where termination of service is to take effect in a month in which the end of a school term or semester occurs, termination of service shall take effect at the end of the term or semester.

(11) Subject to this rule and except where termination is for misconduct, a teacher whose service is terminated after serving for one hundred and twenty consecutive school days under the same Managing Authority during that school year shall be entitled to receive one month's salary beyond the effective date of termination of service *in lieu* of vacation.

(12) Subject to this rule, except where termination is for misconduct, a teacher who has served for one hundred and eighty consecutive school days under the same Managing Authority during one school year shall be entitled to the payment of salary for the months July and August of that school year.

(13) A teacher whose services are terminated under this rule shall be given written notification by the Managing Authority of the termination of his services and a copy of the letter of termination shall be submitted to the Secretariat of the Commission.”.

“Retirement,
etc.

74.-(1) The retirement of a teacher from a government school or government-aided school shall be in accordance with the provisions of the School Teachers Pension Act and Schedule 5.

(2) A teacher may retire at the age of fifty-five years in accordance with section 13 of the School Teachers Pensions' Act.

(3) A teacher desiring to retire from the teaching service at the age of fifty-five shall by written notification indicate his desire to the Managing Authority not less than one year in advance of reaching the age of fifty-five years and the Managing Authority shall forward the request to the Teaching Service Commission Secretariat for onward submission to the Public Service Commission.

(4) Subject to the School Teacher's Pensions Act, a teacher desiring to continue in the teaching service beyond fifty-five shall by written notification indicate his desire to the Managing Authority at least one year prior to reaching the age of fifty-five years and the Managing Authority shall forward the request to the Teaching Service Commission Secretariat for their records.

(5) Where a teacher retires at age fifty years, or at the age of fifty-five years, as the case may be, retirement shall take effect at the close of the school year on 31st August of that year.

(6) A retired teacher may be employed subject to the provisions for the employment of teachers.

(7) A teacher may retire on medical grounds in accordance with section 6(2) of the School Teachers' Pensions Act.

(8) A teacher seeking to retire on medical grounds shall apply in writing to the Ministry through the teacher's Managing Authority.

(9) A medical certificate from a certified medical practitioner recommending retirement on medical grounds shall accompany the letter of application submitted under sub-rule (7).

(10) The application for retirement on medical grounds shall be subject to the determination of a Medical Board convened by the Director of Health Services.

(11) The findings of the Medical Board shall be submitted to the Minister for his determination.

(12) The Managing Authority shall be informed of the findings and determinations of the Medical Board.

(13) Where a teacher commits a major offence, the Managing Authority, may terminate, dismiss or call on that teacher to retire in the public interest in accordance with section 13(4) of the School Teachers' Pensions Act.

(14) Where the employment of a teacher is terminated as a result of reorganisation, the matter shall be dealt with in accordance with section 6(3) of the School Teachers' Pension Act.”.

“Pay for school vacation periods.

86.-(1) A teacher, appointed or otherwise, who has served for one hundred and eighty consecutive school days under the same Managing Authority during one school year shall be entitled to the payment of salary for the months of July and August of that school year.

(2) If a teacher is temporarily employed in a month in which the Christmas holiday or Easter vacation falls, that teacher shall receive pay for the vacation period if his employment continues after the end of vacation. In other cases he shall be paid only for the period employed”.

“Assessment of staff.

87.-(1) A Managing Authority, or other appropriate persons authorised by the Managing Authority, shall conduct performance appraisals of each Principal under their management at least twice annually using the Forms EDR 17A and EDR 17B set out in Schedule 3.

(2) The Principal shall conduct a performance appraisal of each Vice-Principal, Head of Department and teacher twice annually using the Forms EDR 18A, EDR 18B, and EDR 18C set out in Schedule 3 as applicable.

(3) Vice principals and Heads of Departments may also be assigned the duty to appraise teaching staff.

(4) Teaching Staff at upper primary and secondary level schools is subject to student assessment twice annually in the Form EDR 19A and EDR 19B set out in Schedule 3 and analysis of such assessment shall be for the purpose of school improvement planning for improving teacher's teaching and learning processes and student-teacher relations.

(5) The principal shall appraise non-teaching staff at least once during each school year using the standard assessment Form EDR 20 set out in Schedule 3.

(6) On completion of a performance appraisal, the person doing the appraisal shall discuss the evaluation with the person being appraised and in so doing shall -

- (a) discuss the performance ratings of the person being assessed in the various areas assessed;
- (b) identify and analyze the strengths and weaknesses of the person being appraised; and
- (c) determine recommendations for actions to be taken to address weaknesses identified.

(7) On completion of the discussion of an appraisal under sub-rule (5), the person being appraised shall sign the appraisal form and indicate his agreement or otherwise with the appraisal and if that person disagrees with any aspect of the assessment he may provide justification for such disagreement.

(8) The Managing Authority shall -

- (a) forward the signed performance appraisal form and any justification for disagreement under sub-rule (7) to the Commission;
- (b) forward to the person appraised copies of all forms forwarded to the Commission; and
- (c) retain copies of all forms forwarded for their information, action and record.

(9) The consequences of a less than satisfactory performance appraisal may include -

- (a) deferral or loss of increment,
- (b) demotion in rank, or
- (c) subject to sub-regulation (10), dismissal

(10) A performance appraisal which is less than satisfactory may be deemed a breach of contract warranting dismissal -

- (a) where the person is rated ineffective on his performance appraisal and shows no competence,
- (b) where the person is rated marginal on his performance appraisal and fails to improve performance upon subsequent performance appraisals.”.

“Incremental dates.

88.-(1) Subject to sub-rules (2) and (3), an annual increment shall accrue from the beginning of the month in which it becomes due.

(2) Where a probationary period is successful, the incremental date shall be the first day of the month if the teacher’s date of employment or promotion falls between the first to the fifteenth day of the month, inclusive, but in a case, where the teacher’s date of employment or promotion is after the fifteenth day of the month, the incremental date shall be on the first day of the following month.

(3) Where a teacher attains higher qualifications, any additional increment for higher qualifications shall take effect at the beginning of the month after the month in which the qualification was gained and this shall not alter the normal annual incremental date.

(4) Any change in salary scale resulting from higher qualifications shall take effect at the beginning of the month after the month in which the qualification was gained and this shall not alter the normal annual incremental date.

(5) Where an increment is withheld or deferred due to inadequate performance, an improvement plan, including subsequent evaluation date, must be developed by the Managing Authority and if such subsequent evaluation is favorable, the increment shall be given starting from the date of the favorable evaluation and the normal annual incremental date shall remain unchanged.”.

“Increments.

89.-(1) Where a teacher is paid on a salary scale, an annual increment shall be awarded if that teacher obtains a satisfactory performance and has not reached the maximum point on the salary scale, and there is no other disentitling factor bearing on the award of the increment.

(2) In order to qualify for the annual increment, a teacher must be employed for not less than one year.

(3) The Managing Authority shall submit to the Commission for necessary action, the annual increment form, as set out in Form EDR 23 in Schedule 3 for each teacher under its management who qualifies for an increment and indicating whether or not the teacher is to receive an increment. Every completed form must be received by the Commission not less than six weeks before the increment is due.

Schedule 3

(4) For the purpose of this rule, satisfactory performance justifying the award of an increment shall include as the major determining factors the last two

performance appraisal reports of the teacher conducted in the year immediately preceding the increment date.

(5) Subject to any specific conditions of employment, a teacher on continuous temporary teaching services for a period exceeding one year in a post to which an annual salary scale is attached may, if such service is satisfactory, qualify for the grant of an increment.”

“Loss of
increments.

90.-(1) The Managing Authority, subject to the approval of the Commission, may apply the consequences under rule 87(9) where the teacher obtained a less than satisfactory performance appraisal.

(2) The Managing Authority or any suitable person designated to act on its behalf shall, where an increment is withheld, provide support to the teacher to develop an improvement plan and shall conduct a further appraisal of the teacher within six months following the implementation of the improvement plan.

(3) Where a further performance appraisal under sub-rule (2) indicates improvement in the teacher’s performance to a satisfactory level, the Managing Authority, subject to the approval of the Commission, shall restore the increment to the teacher from the date of the satisfactory performance appraisal report,

(4) Where a further performance appraisal indicates failure of the teacher to improve performance to a satisfactory level, the Managing Authority, subject to the approval of the Commission, shall determine the appropriate consequence in accordance with rule 87(9).

(5) Where an increment is deferred for one year -

- (a) if further appraisal of the teacher is satisfactory at the end of this period, the Managing Authority, subject to the approval of the Commission, shall grant the teacher two increments from the date of satisfactory performance appraisal which shall restore him to the point on the scale which he would have reached; or
- (b) if further appraisal of the teacher is unsatisfactory at the end of this period, the Managing Authority, subject to the approval of the Commission, shall stop the increment that would have been earned had the teacher performed satisfactorily at the end of this period.

(6) Where an increment is not approved by the Managing Authority, the teacher shall be informed of the reasons why the increment was not approved.

(7) Where an increment is not approved, an appeal may be made on the Form EDR 21 set out in Schedule 3.

(8) If for any reason other than those allowed under these Rules, a teacher does not receive his increments for any particular year he shall be paid the full increment due to him retroactive to the qualifying date.”

“Special
awards.

91.-(1) A teacher who shows -

- (a) leadership, commitment and is consistently outstanding, or
- (b) exceptional zeal for his work, including undertaking additional relevant training for which salary increments are not awarded, and takes initiative to introduce innovation in his school,

may be granted upon recommendation by the Principal and request by the Managing Authority, a lump sum merit award equivalent to two increments or one thousand dollars(whichever is less), provided that he shall not be granted such merit award more than once every five years.

(2) The Commission may review the request for conveying a special award under the sub-rule (1) and make a recommendation to the Minister for his approval.

(3) A teacher who serves satisfactorily for three consecutive years in any designated rural hardship area shall be given a merit award equivalent to one increment at the end of the period of service, in addition to any other allowances to which the teacher is entitled.

(4) A teacher who has successfully completed three years of service at the maximum of his last salary scale shall be given a one-time long-service grant equal to three increments, subject to the conditions under rule 89 or the granting of annual increments.”.

TRANSFER AND RELEASE OF STAFF

Education & Training Act 2010	
Part V Section 17 (2)	Part VIII Section 31
<i>(e) Approve transfer of teachers</i>	<p>31. (1) The Managing Authority of a school may, on the approval of the Commission, transfer a teacher, from one school to another school under that Managing Authority's management, but every attempt shall be made to staff schools with teachers who reside in the community where the school is located provided that teachers on probation pending appointment shall generally not be transferred except in exceptional cases.</p> <p>(2) The conditions and rules of procedure governing transfers shall be prescribed in Rules made under this Act.</p> <p>(3) Teachers may request a release from a Managing Authority in order to facilitate movement between managements, the public service, the University of Belize or other organizations or institutions.</p> <p>(4) Only appointed teachers shall be eligible for secondment or posting as itinerant resource officers subject to the approval of the Commission in accordance with this Act and Rules made under this Act</p>

EDUCATION (AMENDMENT) RULES

⁴Transfer of teachers.

69.-(1) A Managing Authority with the approval of the Commission may fill a position for principal, vice-principal or teacher by the transfer of a qualified teacher from one school to another within the same Managing Authority provided that -

- (a) transfers are used when mutually beneficial to the receiving school or institution and the teacher, such as to improve the staff of the receiving school or institution or as a way to maintain on the established staff of the Managing Authority a teacher who would otherwise be lost to the system;
- (b) the option to transfer is not used as a disciplinary measure or recourse for unsatisfactory performance; and
- (c) in accordance with section 69(1)(b)¹ of the Act, every attempt is made to staff schools with teachers who reside in the local community where the school is located.

(2) Every transfer shall be arranged so that the teacher takes up duty at the new school on the first day of the school year or term.

¹ This reference is erroneous, though it appears in the Education (Amendment) Rules, 2012. The correct reference is to section 31(1).

- (3) A teacher shall not be transferred more than once every three years except where the teacher requests a transfer or agrees to a transfer outside of the three-year time period and the approval of the Commission is sought in each case.
- (4) A teacher on probation pending appointment shall not be transferred.
- (5) A teacher who is actively engaged in community services at a school or community level shall not be transferred except at the teacher's request or upon sufficient justification by the Managing Authority that such a transfer is necessary.
- (6) An application for transfer shall not be approved in respect of a teacher against whom disciplinary action for major offences is pending.
- (7) A teacher or the Managing Authority may request a transfer using the transfer form as set out in Form EDR 6 in Schedule 3.
- (8) Applications to transfer teachers within their management, including those initiated by teachers, shall be submitted to the Commission by Managing Authorities along with a statement of any pending disciplinary action for major offences not less than four months prior to date of transfer;
- (9) If the Commission approves the transfer of a teacher, unless the teacher agrees in writing to a shorter period of notice, the teacher shall be given no less than two months notice of the transfer, and shall be given a copy of the approved transfer form.
- (10) Where a transfer is approved a copy of the transfer form shall be given to the teacher to whom the transfer applies.
- (11) The Ministry shall pay a transfer grant to the teacher in accordance with policy established from time to time but shall not pay a transfer grant where the transfer is initiated by the teacher.
- (12) A teacher aggrieved by a decision to transfer may appeal to the Tribunal in accordance with section 20(1) (a) of the Act.

LEAVES OF ABSENCE

Education & Training Act 2010	
Part V Section 17 (2)	Part VIII Section 30 (1)
<i>(f) Approve such leave as long leave, study leave and maternity leave, extended sick leave and any other leave extending beyond ten days,</i>	30. (1) A teacher is eligible for leave as prescribed in Rules made under this Act.

EDUCATION (AMENDMENT) RULES

77.-(1) Permission for absence from work shall be granted in accordance with the types and conditions of leave as stipulated in these Rules.

(2) Except in the case of illness or other unavoidable circumstances, any teacher who is absent from duty without permission is liable to disciplinary action in accordance with these Rules.

(3) The teacher shall make every effort to contact the Principal in the case of illness or other unavoidable circumstances on the first day of his absence.

(4) A claim for payment of salary by a teacher in respect of any period of absence which is not approved may be disallowed.

(5) Where a Managing Authority approves applications for leave of less than ten days, the Managing Authority shall forward copies of approved applications to the Commission for its records.

(6) The Managing Authority shall, for leave of ten consecutive working days or more, forward the application to the Commission along with the Managing Authority's comments on the matter, for the Commission's consideration for approval and the Commission shall inform the teacher of its decision through the Managing Authority.

(7) A Managing Authority may grant to a teacher leave with pay for up to five working days per year on urgent personal affairs.

(8) Where the Managing Authority of a school is not readily accessible on a daily basis, it may authorise the Principal to determine applications for leave on urgent personal affairs on its behalf.

(9) Applications for leave on urgent personal affairs shall be made on Form EDR 8 as set out in Schedule 3 and submitted to the Managing Authority through the Principal and all applications for leave on urgent personal affairs shall be copied to the Commission's Secretariat.

“Leave on urgent personal affairs, compassionate leave, paternity leave, etc.

(10) A Managing Authority shall submit to the Commission for its approval applications for an extension of leave, with pay, on urgent personal affairs of more than five days at least three days before the end of the leave already approved.

(11) The Managing Authority may endorse and the Chief Education Officer may support an application under sub-rule (10).

(12) An extension of leave on urgent personal affairs shall not exceed thirty days.

(13) On the death of an immediate family member, a Managing Authority may grant compassionate leave with pay for not more than five days.

(14) Where the Managing Authority of a school is not readily accessible on a daily basis, it may authorise the Principal to determine applications for compassionate leave on its behalf.

(15) An application for compassionate leave shall be made to the Managing Authority and routed through the Principal on Form EDR 8 set out in Schedule 3 to these Rules and all applications for compassionate leave shall be copied to the Commission's Secretariat.

(16) A male teacher may be granted one period of paternity leave per school year with full pay for up to five working days and he shall as soon as possible but no later than one month after return to duty, present to the Principal a copy of the birth registration certificate acknowledging paternity.

(17) An applications for paternity leave shall be made to the Managing Authority and routed through the Principal on Form EDR 8 set out in Schedule 3 to these Rules and all applications for paternity leave shall be copied to the Commission's Secretariat."

"Sick leave,
application,
benefits, etc.

78.-(1) The maximum paid sick leave entitlement to a teacher is sixteen days per year.

(2) Paid sick leave for more than one school day on any occasion shall not be granted without a medical certificate.

(3) If the leave exceeds one school day, the teacher shall forward to the Principal no later than the third day of being sick, a certificate from a registered medical practitioner stating the nature of the illness and, where appropriate, any further period of absence recommended by said medical practitioner and where the services of a medical practitioner are not obtainable within the time specified in this rule, a certificate of illness shall be furnished and signed by any other health practitioner or pharmacist in the region in which the teacher resides.

(4) No more than six days of uncertified paid sick leave shall be granted in any one year.

(5) If the teacher has exhausted all uncertified paid sick leave in any one year, any additional uncertified sick leave shall be treated as leave without pay.

(6) If the teacher has exhausted all sick leave entitlement in any one year as stipulated in sub-rule (1) and requires additional sick leave for a period of ten days or less, the leave shall be treated as leave without pay.

(7) The Commission may, on the advice of the Managing Authority, where the protracted illness of an appointed teacher necessitate continuing leave beyond the normal annual sick leave entitlement as stipulated in sub-rule (1) of this rule, approve extended sick leave up to one hundred and eighty days with full pay upon certification from a registered medical practitioner.

(8) The Commission shall, on the advice of the Managing Authority, where the illness of an appointed teacher requires absence exceeding one hundred and eighty days, require that the question of his fitness for further service be taken up with the Director of Health Services who shall convene a Medical Board and if the Medical Board determines that full recovery and return to duty is probable, the Commission may approve a further extension of sick leave up to one hundred and eighty days on half pay.

(9) The Commission may, on the advice of the Managing Authority, where a teacher is frequently on sick leave such that they exceed their annual sick leave entitlement under sub-rule (1), request the Director of Health Services to advise whether the teacher should appear before a Medical Board for a determination of his fitness to continue in the teaching service.

(10) Non-school days, where such days are within the period of leave, shall not be counted as part of sick leave except in the case of extended sick leave as provided in sub-rules (7) or (8) of this rule.

(11) A Managing Authority shall, within five days of diagnosis indicating that extended medical treatment is required, submit to the Commission for its approval an application for extended sick leave of up to one hundred and eighty days.

(12) The form of application for sick leave and extended sick leave shall be in Form EDR 9 set out in Schedule 3.

(13) The teacher shall apply to the Social Security Board for sickness benefits under the regulations of the Social Security Scheme and the provisions of the Social Security Act shall apply.”.

“Maternity
leave,
application,
benefits,

79.-(1) A female teacher shall be entitled to fourteen weeks maternity leave.

(2) A female teacher who during the twelve months immediately preceding her expected date of confinement has been employed for a total of less than one hundred and fifty days shall be granted maternity leave without pay and such leave shall not be considered as service for pension purposes.

(3) A female teacher who, during the twelve months immediately preceding her expected date of confinement was employed for a period of not less than five months or one hundred and fifty days shall be granted maternity leave with full pay and such leave shall be considered as service for pension purposes.

(4) A teacher may, due to the demanding nature of the teaching profession, proceed on maternity leave at least one month before her expected date of confinement but shall proceed on leave no later than two weeks before the expected date of confinement.

(5) Where the date of confinement occurs before the expected date of confinement, the period of maternity leave commences on the actual date of confinement and shall not be less than fourteen weeks.

(6) Where a replacement teacher is to be hired for a teacher on maternity leave, the Commission may determine, as is expedient, whether the period of replacement shall be for all or a portion of the period for which the teacher is on maternity leave.

(7) Where a teacher who has proceeded on approved maternity leave requires continuing leave beyond normal entitlement, she may be granted leave without pay for up to one year.

(8) An application for maternity leave shall be submitted on Form EDR 10 set out in Schedule 3, to the Managing Authority and routed through the Principal not less than eight weeks prior to the expected date of confinement and such application shall be accompanied by a medical certificate stating the expected date of confinement.

(9) The Managing Authority shall submit all applications for maternity leave to the Commission for its approval.

(10) Any other maternity benefits shall be in accordance with the Social Security Scheme.”.

“Annual
vacation
leave.

80.-(1) A teacher is entitled to paid vacation leave of not less than thirty working days per year.

(2) A teacher shall, unless otherwise determined by the Chief Education Officer, take leave under sub-rule (1) during the Christmas break, Easter break, and during the month of July.

(3) Notwithstanding sub-rule (2), a Principal or a Managing Authority may require a teacher to report to work during any of the vacation periods to complete assignments including -

- (a) preparation and correction of examinations;
- (b) preparation of report cards;
- (c) submission of course work materials and grades;
- (d) securing of records, equipment and other resources during threat of a natural disaster.

(4) During the month of August, where the teacher is not on approved leave, the teacher shall report to work immediately when requested by the Principal, Managing Authority or Ministry to attend workshops and other professional

development activities or to perform school related duties such as curriculum development, and preparation of annual teaching plans including development of student assessments, preparation of classrooms, staff planning meetings and orientation sessions or any other duties.

(5) Where a teacher demonstrates reasonable cause, he may be exempted by the Managing Authority from being called to duties for all or portion of such periods during the month of August. The teacher shall apply to the Managing Authority for such exemption and, if approved, it shall be treated as paid leave provided that the period of exemption does not exceed ten days. Applications for such leave shall be made on Form EDR 11 set out in Schedule 3 and shall be submitted to the Managing Authority through the Principal.”.

“Long leave. 81.-(1) A teacher of a government school or a government-aided school shall, after nine years of continuous service, qualify for three months long leave with full pay.

(2) The following leave of absence shall not be counted towards the qualifying period for long leave -

- (a) study leave which exceeds one year;
- (b) sick leave which exceeds one hundred and eighty days;
- (c) any period of suspension;
- (d) maternity leave without pay;
- (e) period of secondment;
- (f) period of posting as an Itinerant Resource Officer; or
- (g) leave without pay.

(3) Long leave shall be granted during April to June or September to November, both months inclusive.

(4) An application for long leave by a teacher shall be made to the Commission through his Managing Authority.

(5) Applications for long leave shall be made, on Form EDR 12 set out in Schedule 3, to the Commission by 30 September of the preceding year for leave to commence in April of the following year and by the last day of February for leave to commence in September of that same year.

(6) Where more than one teacher in a given school qualifies for long leave, the Managing Authority may recommend, with proper justification, the teacher that should be given priority for long leave and the teacher whose long leave may be deferred and shall submit the applications along with such recommendation to the Commission.

(7) A teacher who has been granted long leave shall qualify for another period of long leave after a further nine years of continuous service which commences at the date of completion of the previous long leave.

(8) Where long leave is deferred under sub-rule (6), that long leave shall be granted no later than two years after the teacher qualifies for such long leave and

the teacher is entitled to count the period of deferment towards a subsequent nine-year period as continuous service.

(9) Subject to sub-rule (8), where a vacancy exists due to a teacher on long leave, the Managing Authorities may employ a temporary replacement teacher to fill the vacancy in accordance with rule 66.

(10) A teacher for whom long leave has been approved may serve as his own replacement subject to the approval of the Chief Education Officer.”.

“Professional Development leave.

82.-(1) Professional development leave may be granted to a teacher to enable the teacher to attend a course, conference or seminar on a matter connected to his professional development or to educational development in general.

(2) The teacher shall apply for such leave on Form EDR 13 set out in Schedule 3 and shall, at the time of application, provide evidence that he is nominated or is officially invited to attend the course, conference or seminar, and any other details as are required including the details for teaching the students affected by such leave.

(3) The Managing Authority may approve requests for such leave up to nine consecutive school days.

(4) Authority for approval of requests for leave of at least ten consecutive school days shall lie with the Commission and in this case, the Managing Authority shall forward the request along with his recommendation on the matter to the Commission.”.

“Study leave with pay, without pay, bond, extension,

83.-(1) A teacher may, subject to the approval of the Commission, be granted leave with pay to enable him to undertake a full-time course of study that is pertinent to his professional development as a teacher.

(2) A teacher may, subject to the approval of the Commission, be granted study leave without pay where -

- (a) the school at which the teacher is assigned has exhausted its quota of teachers on approved study leave with pay; or
- (b) that teacher expressly applies for study leave without pay to undertake a full-time course of study that is pertinent to his professional development as a teacher.

(3) A teacher shall not be eligible to be granted study leave where that teacher has not served at least one full school year in the teaching service prior to proceeding on study leave.

(4) Subject to sub-rule (5) a teacher who is recipient of a scholarship from or through the Government shall be granted study leave with pay.

(5) Study leave with pay shall not be approved to pursue training at a level equivalent to a qualification already possessed by the teacher or to pursue training which does not enhance the professional development of the teacher.

(6) A teacher shall apply for study leave on Form EDR 14 set out in Schedule 3, to the Managing Authority and the Managing Authority shall forward the application, with its recommendation to the Commission for approval no later than 31 December of the year prior to the year in which the study leave is applied for.

(7) For study leave with pay, salary grant shall be made as follows -

- (a) one hundred percent of salary for the period of study leave being one academic year or less;
- (b) eighty percent of salary for the period of study leave being more than one academic year but less than three years; or
- (c) fifty percent of salary where the Commission has approved an extension of the period of study leave for one year or less.

(8) A teacher on study leave with pay shall sign a bond of service with the Ministry which shall specify the conditions to be met by the teacher during the course of studies including -

- (a) to follow the programme of studies approved by the Commission;
- (b) to maintain a minimum cumulative Grade Point Average of 2.5 or its equivalent throughout the period of study leave; and
- (c) to submit to the Commission and the Managing Authority progress reports signed by an appropriate officer of the institution at which the programme of studies is being undertaken at the end of each semester of studies.

(9) The duration of service required by the bond shall vary depending on the duration of the course of training in accordance with the following -

<u>Duration</u>	<u>Period Bonded</u>
(a) up to 4 months	nil
(b) more than 4 months but not more than 12 months	one year
(c) more than 12 months but not more than 30 months	two years
(d) more than 31 months but not more than 36 months	three years

(10) The amount of a teacher's bond shall be equivalent to the amount of the salary and allowances paid during the period of training and the total amount of such expenditure shall be the extent of a teacher's indebtedness and shall be secured by a guarantor.

(11) Where the approval of study leave with pay is also supported by additional financial assistance or scholarship from or through the Government of Belize, the total amount of a teacher's bond shall be equivalent to the estimated cost of training and the amount of the salary and allowances paid during the period of training.

(12) If a teacher fails to complete the requisite number of months of service required by his bond, his indebtedness shall be equivalent to the period of service for which he is in default.

(13) The amount of the indebtedness shall be paid on demand either by the teacher or his guarantor to the Government of Belize.

(14) A teacher shall, after successful completion of an approved course of study, be required to fulfil the requirements of his bond before study leave to pursue a further course of study may be approved.

(15) A teacher on study leave without pay shall sign an agreement of service with the Ministry which shall specify the conditions to be met by the teacher during the course of studies including -

- (a) to follow the programme of studies approved by the Commission;
- (b) to maintain a minimum cumulative Grade Point Average of 2.5 or its equivalent throughout the period of study leave;
- (c) to submit to the Commission and the Managing Authority progress reports signed by an appropriate officer of the institution at which the programme of studies is being undertaken at the end of each semester of studies; and
- (d) to indicate his intention to return to his substantive post no later than six months prior to the expiry of his study leave without pay.

(16) A teacher may apply for an extension of study leave and an extension may be granted if it is considered that such extension is in the interest of the teaching service and an application for extension of study leave shall be accompanied by the following -

- (a) a letter of support from the teacher's Managing Authority;
- (b) evidence of the need and reason for the extension from the institution where the teacher is attending the course of study;
- (c) a Program Schedule showing the sequence of the offering of the courses comprising the program of studies; and
- (d) an Official Transcript of courses completed with grades attained.

(17) Disciplinary measures, including withdrawal of study leave, possible loss of pay, suspension, or dismissal may result if a teacher -

- (a) fails to comply with sub-rule (8) or (15),
- (b) fails to resume duties on the approved date of resumption of duties without the approval of the Commission; or
- (c) abandons the course of study without the approval of the Commission.

(18) A teacher who discontinues study leave due to maternity leave or extended sick leave shall not automatically be allowed to continue study leave but shall re-apply to the Commission for approval of the continuation of study leave previously granted.

(19) Where a teacher discontinues study leave and proceeds on maternity leave, the requirements as set out in rule 79 shall apply.

(20) Where a teacher discontinues study leave and is granted extended sick leave, the requirements as set out in rule 78 shall apply.

(21) A teacher who discontinues study leave for the reasons stated in sub-rule (18) shall re-apply for such leave in accordance with rules 78 and 79, as the case may be.

(22) A teacher under sub-rule (21) shall resume duties at his substantive post pending a determination by the Commission.

(23) Where a vacancy is created by a teacher who proceeded on study leave by abandonment of post, resignation or otherwise, the vacancy created shall be filled in accordance with rule 66.”.

“Special leave.

84.-(1) The Commission may approve special leave on full salary for a purpose deemed by the Commission to be in the public and national interests including to enable a teacher -

- (a) who is a member of the Belize Defence Force to attend annual training;
- (b) who is selected by the proper authorities to represent Belize at internationally at sporting events, and cultural events; or
- (c) to attend courses, seminars or conferences sponsored by churches or civic organisations.

(2) Any special leave under sub-rule (1) shall not normally exceed two consecutive weeks and shall not exceed a total of twenty school days in any school year.

(3) A Managing Authority shall, at least two weeks prior to the date of commencement of the intended special leave, submit to the Commission for its approval applications for special leave under this Rule on Form EDR 15 set out in Schedule 3.”.

“Leave without pay for special reasons.

85.-(1) The Commission, may grant leave without pay to a teacher for special reasons as follows -

- (a) pursuant to rule 79(7), to allow a teacher who requires continuing leave beyond normal entitlement after the expiration of approved maternity leave to be kept on the staff of the school;
- (b) to allow a teacher who is unable to resume duties at the expiration of extended sick leave to maintain the teacher’s continuity of service and preserve his post until a determination is made on the fitness of the teacher to continue employment in the teaching service;
- (c) to allow a teacher who is elected or appointed to a public office in a full time capacity to maintain that teacher’s continuity of service and preserve his post;

- (d) to allow a teacher to pursue studies unrelated to his professional development as a teacher while maintaining his continuity of service but not preserving his post;
- (e) to amalgamate a break in service in accordance with Section 7(1) and (2) of the **School Teachers' Pensions Act**; or
- (f) for any other special reason determined by the Commission.

(2) Where a teacher applies for leave under sub-rule (1)(f) and the leave is supported by the Managing Authority, such leave if approved by the Commission shall not exceed one year.

(3) Leave pursuant to sub-rule (2) may be extended but such extension shall not exceed two consecutive years.

(4) Leave without pay shall not be considered as “service” for pension purposes.

(5) A teacher who proceeds on study leave as stipulated in sub-rule (1)(d) shall not automatically revert to his substantive post at the school to which he was attached at the completion of his course of studies and that teacher shall indicate his intention to continue in the employment of his Managing Authority six months prior to completion of studies.

(6) A teacher may apply for leave without pay to the Commission through the Managing Authority on Form EDR 16 set out in Schedule 3. ”.

SECONDMENT AND ITINERANT TEACHER

Education & Training Act 2010	
Part V Section 17 (2)	Part VIII Section 31
<p>(g) <i>Approve secondment and posting as itinerant resource officer</i></p>	<p>31. (1) The Managing Authority of a school may, on the approval of the Commission, transfer a teacher, from one school to another school under that Managing Authority's management, but every attempt shall be made to staff schools with teachers who reside in the community where the school is located provided that teachers on probation pending appointment shall generally not be transferred except in exceptional cases.</p> <p>(2) The conditions and rules of procedure governing transfers shall be prescribed in Rules made under this Act.</p> <p>(3) Teachers may request a release from a Managing Authority in order to facilitate movement between managements, the public service, the University of Belize or other organizations or institutions.</p> <p>(4) Only appointed teachers shall be eligible for secondment or posting as itinerant resource officers subject to the approval of the Commission in accordance with this Act and Rules made under this Act.</p>

EDUCATION (AMENDMENT) RULES

“Secondment. 67A.-(1) An appointed teacher under any Managing Authority may be recruited for secondment to an office, post, agency, organisation or institution outside their school or institution.

(2) Secondment of teachers shall be for specific purposes which shall be defined in the Policy on Secondment of Teachers as determined by the Ministry and such purposes shall include, but not be limited to the following purposes –

- (a) personal and professional development of the secondee and two-way skill transfer between the receiving organization and the school or institution; and
- (b) to fill short-term shortfalls in specific skill areas in the recipient organization.

(3) Secondment shall be for a period not exceeding two years, unless extended in accordance with sub-rules (12) and (13) below, and at the expiration of the extended period shall not be renewable.

(4) The requesting organization shall prepare a letter of request for the teacher and a draft Secondment Agreement between the requesting organization and the teacher for consideration by the Managing Authority and the Commission. The draft Secondment Agreement shall be in accordance with the Policy on Secondment of Teachers, the Act and these Rules and shall, among other things, specify -

(a) the job description of the post for which the secondment of the teacher is sought;

(b) information on conditions of service including the -

(i) period of posting;

(ii) immediate supervisor;

(iii) salary and any allowance approved.

(5) The conditions of service of a teacher on secondment shall be governed by the rules and regulations of the requesting organization.

(6) All payments of salary and any allowances with respect to a teacher on secondment is the responsibility of the requesting organisation.

(7) A teacher for whom disciplinary action for a major offence is pending shall not be eligible for secondment.

(8) A teacher desirous of being seconded shall apply to the Commission through his Managing Authority, in the form set out as Form EDR 5 in Schedule 3 to these Rules, not less than three (3) months before date of intended secondment, and shall submit supporting documentation including draft agreement as required under sub-rule (4).

(9) The Managing Authority shall review the application and draft agreement and supporting documentation and shall indicate its support or otherwise for the secondment, with justification, including a statement of any pending disciplinary action for major offences where applicable.

(10) The Managing Authority shall submit the application, along with supporting documentation including the draft agreement, a letter indicating its support or otherwise, with justification, and a statement of any pending disciplinary action for major offences to the Commission.

(11) The Commission shall review the information received under sub-rule (10) and shall approve or not based on the Act, these Rules, the Policy on Secondment of Teachers and the exigencies of the teaching service.

(12) The Commission may, under special circumstances, consider and approve or not an application for an extension beyond the period of the secondment provided that the application for an extension shall be made at least three months prior to end of the period of secondment along with proper justification for the extension from the requesting organization and a letter from the Managing Authority indicating support or otherwise. In considering such applications for extension of a secondment, the Commission shall be guided by

the Act, these Rules, the Policy on Secondment of Teachers and the exigencies of teaching service.

(13) Where granted, an extension for secondment shall be for a period not exceeding one year so that the total period of secondment shall not exceed a maximum of 3 years.

(14) At the conclusion of a period of secondment, the teacher may either

- (a) return to his substantive post with the Managing Authority from where he was seconded; or
- (b) request appointment to the post held while on secondment, and if successful, concurrently resign his post as a teacher or request a release from his Managing Authority;

(15) Where a teacher resigns from his post under sub-rule (14) (b) above, the vacancy created by his resignation shall be filled in accordance with Rule 66.

(16) The service of a teacher while on secondment shall not count for superannuation purposes unless the receiving organisation makes payment of the percentage of the teacher's yearly salary to the Government of Belize, such payment being the teacher's contribution to the pension fund.

(17) A teacher who has completed a period of secondment shall be placed on the point on the salary scale of his substantive post, which he would have reached if he had not been seconded.

(18) Any period of employment of a teacher while on secondment shall not accrue towards long leave and that teacher, on return to his teaching post, will resume the accrual of long leave.

(19) Long leave earned by a teacher, prior to being seconded, should preferably be taken prior to secondment but may be taken on return to the teacher's substantive teaching post.

(20) Where a secondment agreement was made prior to the coming into force of these Rules, the terms and conditions shall be as specified in the agreement provided that all matters specified in the Act, these Rules and the Policy on Secondment of Teachers as determined by the Ministry shall apply where there is no conflict with such existing agreements.

Itinerant
Resource
Officer.

67B.-(1) An appointed teacher in a government or grant-aided school or institution may be recruited for posting as an Itinerant Resource Officer to fill a position within the Ministry or any other organization or institution determined by the Ministry.

(2) Posting as Itinerant Resource Officer shall be for specific purposes which shall be defined in the Policy on Itinerant Resource Officers as determined by the Ministry and such purposes shall include, but not be limited to the following purposes -

- (a) personal and professional development of the teacher and two-way skill transfer between the recipient organization and the school or institution; and
- (b) to fill short-term deficiencies in specific skill areas in the requesting organization;

(3) The Policy on Itinerant Resource Officers as determined by the Ministry shall be in accordance with the laws of Belize.

(4) An appointed teacher's recruitment as an Itinerant Resource Officer shall be for a period not exceeding 2 years, unless extended in accordance with this sub-rules (13), (14) and (15) below, and at the expiration of the extended period shall not be renewable;

(5) A draft Itinerant Resource Officer Agreement and letter of request for the teacher shall be prepared by the Ministry for consideration by the Managing Authority and the Commission and the draft agreement shall be in accordance with the Act, these Rules and the Policy on Itinerant Resource Officers and shall, among other things, specify -

- (a) the job description of the post for which the Itinerant Resource Officer is sought;
- (b) information on conditions of service including -
 - (i) period of posting;
 - (ii) immediate supervisor; and
 - (iii) any approved allowances.

(6) The conditions of service of a teacher on posting shall be governed by the Policy on Itinerant Resource Officers, the Public Service Regulations where applicable and any other pertinent rules and regulations.

(7) All payments of salary and any allowances with respect to an Itinerant Resource Officer shall be made through the Managing Authority of the teacher who shall be granted a replacement teacher for the period of the posting to fill the vacancy, in accordance with these Rules, left by the teacher posted as an Itinerant Resource Officer.

(8) A teacher for whom disciplinary action for a major offence is pending shall not be eligible for posting as an Itinerant Resource Officer.

(9) A teacher applying to be posted as an Itinerant Resource Officer shall apply to the Commission through his Managing Authority in the form set out as Form EDR 5 in Schedule 3 to these Rules, not less than three months before the date of intended posting, and shall submit supporting documentation including draft agreement as required under sub-rule (5).

(10) The Managing Authority shall review the application and draft agreement and supporting documentation and shall indicate its support or otherwise for the posting as Itinerant Resource Officer, with justification, including a statement of any pending disciplinary action for major offences where applicable.

(11) The Managing Authority shall submit the application, along with supporting documentation including the draft agreement, a letter indicating its support or otherwise, with justification, and a statement of any pending disciplinary action for major offences to the Commission.

(12) The Commission shall review the information received under sub-rule (5) and shall approve or not the posting of the teacher as Itinerant Resource Officer based on the Act, these Rules, the Policy on Itinerant Resource Officers and the exigencies of the teaching service.

(13) An Itinerant Resource Officer may apply to the Commission for an extension provided that such application is

- (a) accompanied by letters from the Managing Authority and the Ministry, respectively, indicating their support or otherwise,
- (b) made at least 3 months prior to the end of the period of posting,
- (c) accompanied by justification.

(14) In considering an application made under sub-rule (6), the Commission shall be guided by the Act, these Rules, the Policy on Itinerant Resource Officers and the exigencies of the service.

(15) An extension of a posting shall not exceed a period of one year and the total period of posting shall not exceed 3 years.

(16) Where the tenure of a posting of an Itinerant Resource Officer has expired, the teacher shall either -

- (a) return to his substantive teaching post ; or
- (b) where he is performing in a vacant post in the Public Service, request appointment to such post and, if his request is successful, the teacher shall concurrently resign his post as teacher or request a release from his Managing Authority.

(17) Where a teacher resigns his post or is released under sub-rule (16)(b), the vacancy created by his resignation or release shall be filled in accordance with rule 66.

(18) The period of employment during which a teacher serves as an Itinerant Resource Officer shall not accrue towards long leave and that teacher, on return to his teaching post, will resume the accrual of long leave.

(19) Long leave earned by a teacher prior to posting as an Itinerant Resource Officer shall not be taken during the posting but should preferably be taken prior to posting in the Ministry, organization or institution determined by the Ministry, or on the teacher's return to his substantive teaching post.

(20) An appointed teacher who is posted as an Itinerant Resource Officer -

- (a) shall earn annual salary increments in accordance with the performance appraisal system, and
- (b) may in addition to his salary be paid a monthly responsibility allowance in accordance with the Itinerant Resource Policy of the Ministry.

(21) The service of a teacher while posted as an Itinerant Resource Officer shall count for superannuation purposes.

(22) An Itinerant Resource Officer agreement and the terms and conditions established prior to the coming into force of the Act and these Rules, shall continue as agreed but matters addressed in the Act, these Rules and the Policy on Itinerant Resource Officers shall apply where it does not conflict with such agreement, and terms and conditions.

Release.

67C.-(1) An appointed teacher may request from the Commission, release from employment to facilitate a transfer of employment to a different Managing Authority or to the University of Belize;

(2) Applications for release, along with letter from the Managing Authority indicating whether there is any disciplinary action for major offences pending against the teacher or any other matter of relevance to a teacher, must be submitted at least one month before the proposed date for change in employment to the Commission for its approval.

(3) No release will be granted to a teacher against whom disciplinary action for a major offence is pending.

(4) A teacher whose application for release is approved shall be given a release letter stating the teacher's particulars including name and date of birth, date of release, increment date, social security number, last salary received, salary scale and date of appointment and a copy of the release letter (sample of which is given at Form EDR 4 in Schedule 3 shall be sent to the new Managing Authority or employer and copied to the Commission.”.

DISCIPLINARY MEASURES AND PROCEDURES

Education & Training Act 2010	
Part V Section 17 (2)	Part VIII Sections 32 & 33
<p><i>(h) Approve disciplinary action, for major offences, against teachers in the teaching service or recommend the imposition of appropriate sanctions against managing authorities, for government and government-aided pre-schools, primary and secondary schools, and TVET institutions, in accordance with this Act and Rules made under this Act, and all other applicable laws.</i></p>	<p>32. Teachers shall be subject to disciplinary action by the Managing Authority, or its delegate, as the case may be, and in accordance with this Act and Rules made under this Act.</p> <p>33. Every teacher aggrieved by an order, by the Managing Authority, for suspension without pay or on half pay, fine or loss of salary, deferment or stoppage of salary increment, demotion in rank, retirement in the interest of the profession, termination or dismissal from service may, within thirty (30) days of receipt of such order, proffer an appeal to the Appeals Tribunal in accordance with this Act and Rules made under Act.</p>

EDUCATION (AMENDMENT) RULES

- “Conduct at work. 92. The code of conduct pursuant to section 29(13) of the Act shall conform to the following -
- (a) provide for the proper standard of attire;
 - (b) exclude unreasonable restrictions or requirements;
 - (c) provide for clear standards that are expressed in writing to staff;
 - (d) neither directly nor indirectly, or unfairly discriminate among persons on grounds of gender, disability, race, religion, ethnicity, socio-economic status, political affiliation, or any other forms of discrimination;
 - (e) respect for individual’s fundamental human rights as stipulated by the laws of Belize and regional and international treaties and conventions to which Belize is a party.”.

92A-(1) For the purpose of this rule, offences constitute such offences where a teacher fails to perform his lawful duties or willfully disobeys legal orders reasonably given by those duly authorized to give such orders, repeated neglect of duty or failure to observe regulations and requirements under the Act, these Rules and approved school rules and where a teacher conducts himself in a manner, whether in the course of his duty or not, inconsistent with the expressed or implied conditions of his service, or in a manner prejudicial to the efficient or effective operation of the school, or in a manner which otherwise brings the teaching profession into disrepute or is considered inimical to the interests of education.

(2) Minor offences include -

- (a) violations in relation to attendance and punctuality -
 - (i) repeated tardiness in reporting for duty; or
 - (ii) unexcused absences;
- (b) violations in relation to professional conduct and failure to perform duties -
 - (i) campaigning actively in school for or against any political party or candidate in any national or municipal election;
 - (ii) failure to do lesson plans;
 - (iii) failure to submit grade reports;
 - (iv) failure to maintain student records;
 - (v) repeated neglect of duties;
 - (vi) use of school property or facilities without permission,
 - (vii) resignation without giving the required notice; or
 - (viii) failure to participate in professional development workshops, seminars, or programs as required.

(3) Major offences include -

- (a) offences in regard to professional conduct and obligations including -
 - (i) failure to maintain a teaching licence;
 - (ii) refusal to implement strategies for improving performance recommended through a clinical supervision process;
 - (iii) repeated failure to implement strategies for improving performance recommended through a clinical supervision process;
 - (iv) failure to carry out orders by administration or persons in authority, abandonment of duties or insubordination;
 - (v) failure to get proper authorization to take students on a field trip or to modify the itinerary of the trip once authorized;
 - (vi) failure to satisfactorily correct behaviour after minor offences are brought to the teacher's attention in conformity with the procedures set out in Schedule 6;

- (vii) failure to comply with mandatory reporting requirements in relation to child abuse under the Families and Children Act;
 - (viii) change of study leave program without authorization;
 - (ix) discontinuation of studies in relation to study leave without informing the school, the Managing Authority, the Ministry and the Commission;
 - (x) failure or refusal to sign study leave bond;
 - (xi) failure to fulfill the conditions of study leave bond; or
 - (xii) failure to maintain the required 2.5 grade point average or its equivalent in accordance with study leave bond agreement;
- (b) Criminal conduct or conduct which is physically or morally harmful to students or other members of staff including –
- (i) sexual abuse;
 - (ii) carnal knowledge;
 - (iii) child molestation;
 - (iv) rape;
 - (v) corporal punishment and other forms of physical punishment;
 - (vi) verbal abuse, use of threatening words, intimidation, and harassment of students, colleagues or administrators;
 - (vii) sexual harassment;
 - (viii) assault of colleagues, parents, administrators;
 - (ix) discrimination against students on the basis of race, creed, gender, disability, association or other similar characteristic;
 - (x) action directed at subverting the democratic process or interests of the community;
 - (xi) conviction of a criminal offence,
 - (xii) criminal misconduct outside the school setting,
 - (xiii) possession of illicit drugs,
 - (xiv) use of illicit drugs,
 - (xv) sale and distribution of controlled substances or illicit drugs,
 - (xvi) drunken and disorderly conduct in the school setting or in the public,
 - (xvii) destruction of school property,
 - (xviii) forgery or submission of false documents,
 - (xix) misappropriation of school funds;
 - (xx) possession or distribution of pornography;
 - (xxi) theft or fraud;
 - (xxii) possession of an illegal firearm or ammunition;
 - (xxiii) use of a dangerous firearm or ammunition within the school setting; or
 - (xxiv) unauthorised possession of a licensed firearm or ammunition in the school setting.”.

93.-(1) A Managing Authority may initiate disciplinary proceedings for minor and major offences under rule 92A against a teacher y in accordance with the provisions of the Act.

(2) A Managing Authority may take disciplinary action for minor offences in accordance with Schedule 6, which may be documented and recorded on the teacher’s personal file.

(3) In respect of repeated minor offences, where a Managing Authority has utilized measures under sub-rule (2) and the teacher engages in the same behaviour or action leading to a major offence, the teacher shall be issued with a final written reprimand articulating the charges and inviting him to be heard in his own defense at a hearing of the charges and the process outlined in sub-rules (6) - (18) shall apply.

(4) A repeated minor offence may become a major offence where the repeated minor offence has resulted in a final written reprimand after successive oral and written reprimands and such repeated behaviour or action may, with the approval of the Commission, warrant termination.

(5) A Managing Authority shall, upon receipt of a report or upon becoming reliably informed of possible misconduct that may constitute a major offence on the part of any teacher, conform to principles of due process and the rule of law and all documentation describing the process followed and all other pertinent documentation on the case must be submitted to the Commission for its review.

(6) A Managing Authority may, where allegations of the commission of a major offence have been made or where repeated minor offences have resulted in a major offence, place a teacher on administrative leave while it investigates an accusation of misconduct against him if the Managing Authority has grounds to believe that it is in the best interest of the students and the school.

(7) The Managing Authority shall, whether or not it decides to place a teacher on administrative leave while it conducts an investigation of alleged misconduct, -

- (a) immediately notify the teacher in writing of alleged misconduct; and
- (b) conduct a formal investigation into the alleged misconduct.

(8) The Managing Authority shall, at the conclusion of the investigation, decide whether there are grounds to bring charges against the teacher for the alleged misconduct.

(9) The Managing Authority shall, where it finds that there are no grounds for the alleged misconduct, inform the teacher in writing of its findings and the teacher shall continue in employment without prejudice to his status or emoluments.

(10) The Managing Authority shall, where it finds that there are grounds to bring charges against the teacher for the alleged misconduct, -

- (a) notify the teacher in writing of charges against him;
- (b) provide the teacher with a copy of all documentary evidence including transcripts, recordings or affidavits and any other evidence; and
- (c) may place the teacher on interdiction with not less than 50% salary, where it considers that it is in the interest of the students and school that the teacher immediately ceases to perform his functions; and
- (d) may set a date and venue for a hearing and notify the teacher of date and venue of hearing or request the teacher or his agent to respond in writing within a reasonable specified time to afford the teacher the opportunity to be heard in his own defense.

(11) Where a hearing for a teacher placed on interdiction pursuant to sub-rule (10)(c), is not conducted within thirty days of the date of notification under sub-rule (10)(a) the teacher shall be reinstated without prejudice to his status or emoluments if the teacher had presented himself at each scheduled hearing.

(12) A teacher shall have the right to have an agent present at the hearing to advise or represent him.

(13) Documentary evidence shall not be used against a teacher unless the teacher has previously been supplied with or given access to a copy of the evidence.

(14) The Managing Authority shall, where after a hearing the charges are made out, determine the appropriate disciplinary measure in accordance with rule 97.

(16) Where, after a hearing, the charges are not made out, the teacher shall continue in employment without prejudice to his status or emoluments.

(16) Whether or not the proceedings result in disciplinary measures, copies of all written correspondences and attachments sent to or from the teacher or his agent during the disciplinary proceedings shall be placed on the teacher's personal file maintained by the Managing Authority.

(17) Where disciplinary proceedings result in recommendation for disciplinary measures to be taken against a teacher, the Managing Authority shall submit under confidential cover to the Commission -

- (i) its recommendation for disciplinary measures with justification,
- (ii) a copy of the transcript of the disciplinary hearing, and
- (iii) copies of all correspondences and attachments sent to or from the teacher or his agent during the disciplinary proceedings.

(18) The Commission may, upon receipt of the submission and if it thinks fit, cause further investigation to be made into the matter and where it is necessary, the teacher may be asked to appear before the Commission and be given a reasonable opportunity to be heard in his own defence, with or without an agent to assist or act on his behalf at the hearing.

(19) If without good reason, the teacher against whom disciplinary proceedings have been instituted or his agent does not attend the hearing, the Commission may proceed and conclude the matter in his absence.

(20) Where good reason is given to the Commission on behalf of the teacher as to why he is unable to attend the hearing, the Commission may postpone the hearing but not to the extent that quick and effective justice is prejudiced.

(21) The Commission shall make a determination pursuant to section 17(2) (h) of the Act as soon as possible.

(22) Where the Commission determines that the Managing Authority did not apply due process, has not established the grounds for suspension, termination, dismissal or other disciplinary action or where the Managing Authority has failed to provide complete documentation, the teacher's status shall remain unchanged.

(23) Pursuant to sub-rule (22), the Commission may refer the matter back to the Managing Authority for its review and the Managing Authority may make a revised case submission.

(24) The Commission may approve disciplinary action pursuant to section 41(3) (f) of the Act, against a teacher where the following conditions are fulfilled

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- (a) the Managing Authority provides complete documentation on a case;
- (b) where due process is evident;
- (c) where grounds for suspension, termination, dismissal or other disciplinary action are supported by the evidence presented;
- (d) there is no infringement on a teacher's constitutional rights.

(25) The Commission shall inform the Managing Authority and the teacher of its determination and shall inform the teacher of his right to appeal under section 20(2) of the Act.”.

“Administrative leave.

94.-(1) The Managing Authority may place a teacher on administrative leave while the Managing Authority investigates an allegation of misconduct against him if the Managing Authority has grounds to believe that it is in the best interest of the students and the school to do so and the Managing Authority shall inform the teacher, in writing, of the grounds of the accusation against him and a copy of the notice shall be forwarded to the Commission.

(2) Where a teacher has been placed on administrative leave under sub-rule (1) of this rule he shall receive a full salary.

(3) If charges are not brought against a teacher within twenty working days, the teacher shall be immediately reinstated without prejudice to his status or emoluments.

(4) Where a Managing Authority believes the circumstances warrant an extension of time of the period under sub-rule (3) above, the Managing Authority may request from the Commission an extension of the time for bringing a formal case against the teacher and such extension of time shall be of five working days.”.

“Disciplinary proceedings for teachers on secondment etc.

94A. Where a teacher while on secondment or posted as an Itinerant Resource Officer is alleged by the receiving organization to have committed a major offence, the receiving organisation shall direct the teacher to report to the Managing Authority of the school from which he was seconded for the disciplinary procedures under rule 93 to be applied and the teacher may be placed on administrative leave pursuant to rule 94.’.

“Cases involving drugs, firearms, pornographic etc.

95. Where a Principal has substantial grounds on which to accuse or suspect a teacher of use of illicit drugs, or possession of firearms, ammunition, pornographic or subversive materials at school, he shall report the matter to the Police for action.”.

“Criminal proceedings against a teacher.

96.-(1) The Managing Authority may initiate disciplinary proceedings against a teacher who has been criminally charged.

(2) Where criminal proceedings are instituted against a teacher and where the Managing Authority considers it in the best interest of the students and the school that the teacher immediately ceases to perform his duties, the Managing Authority may interdict the teacher from his duties and the Managing Authority shall submit to the Commission a written report detailing the charge and grounds for the interdiction.

(3) Where the Commission agrees with interdiction of the teacher, such interdiction shall be instituted pending the outcome of the criminal proceedings. The teacher may receive a portion of his salary being not less than fifty percent as approved by the Commission on the recommendation of the Managing Authority for a period not exceeding six months.

(4) Where the teacher is found innocent of the charge, the teacher shall continue in employment without prejudice to his status or emoluments.

(5) Where a teacher pleads guilty to a criminal charge, or a criminal charge is proved against a teacher, the teacher may be subject to disciplinary proceedings for an act of misconduct or indiscipline contrary to the Act and these Rules.

(6) Disciplinary proceedings may be instituted under sub-rule (1) of this rule notwithstanding that the teacher has appealed a conviction arising out of the criminal proceedings.”.

97.-(1) Where a teacher has repeatedly committed acts amounting to minor offences and has failed to improve following formal written warnings or reprimands, or where the teacher has committed a major offence, the Managing Authority shall, having established the charges against the teacher in accordance with the procedures laid out in rule 93, adopt one, or a combination of the measures listed below and the adoption of that measure shall have regard to the seriousness of the offence and be appropriate to the circumstances of the case -

- (a) demotion in rank;
- (b) fine or loss of salary;
- (c) suspension with loss of pay not exceeding fifty percent for a period not exceeding six work weeks;
- (d) retirement in the interest of the profession;
- (e) dismissal; or
- (f) dismissal and revocation of licence.

(2) Where disciplinary proceedings result in a recommendation for one or a combination of the disciplinary measures specified at sub-rule (1) above to be taken against a teacher, the Managing Authority shall submit to the Commission -

- (a) its recommendation for disciplinary measures with justification;
- (b) a copy of the transcript of the disciplinary hearing; and
- (c) copies of all correspondences and attachments sent to or from the teacher or his agent during the disciplinary proceedings.

(3) The Managing Authority, within five working days of receiving the decision of the Commission, shall inform the teacher of the decision, any penalty imposed on him, and of his right to appeal to the Tribunal and of the time required for making such appeal.

(4) In accordance with section 14 of the School Teachers’ Pensions Act, no teacher who for gross negligence, irregularity or misconduct, is dismissed or called upon to resign from his employment shall be granted a pension or gratuity unless the Governor-General directs otherwise.

(5) Where a disciplinary charge brought against a teacher has not been proven, the teacher shall be immediately reinstated without prejudice to his position and the payment of the total salary withheld.

(6) Where the teacher lodges an appeal with the Tribunal within the specified period, the penalty imposed by the Commission or Managing Authority, as the case may be, shall take effect pending the determination of the appeal by the Tribunal.”.

99. An appeal made in accordance with section 33 of the Act shall be made on Form EDR 22 set out in Schedule 3.”.

“Legal action against a teacher.

101. Where legal proceedings are initiated against a teacher of a Government or Government-aided school, or institution, in respect of any act or omission performed in the performance of his duties, that teacher may be entitled to assistance for the cost of legal representation and the extent of such assistance shall be determined and payable by the Ministry at its own discretion.”.

“Industrial action by teachers.

101A. A labour dispute which may involve or give rise to industrial action by teachers or instructors shall be determined in accordance with any law or enactment, which makes provision for the determination of such disputes.”.

“Strikes by teachers.

102.-(1) If a labour dispute results in industrial action by teachers or instructors, salaries and wages of persons undertaking such action may not be paid for any day or portion of a day during which they are on strike.

(2) Teachers or instructors not on strike shall report to work unless circumstances beyond their control prevent them from doing so.

(3) It shall be the duty of the Managing Authority to maintain a record of those teachers or instructors who are not present at school during the strike.

(4) It shall be the duty of the Managing Authority to take necessary measures to ensure that schools and institutions are open for classes and to ensure that there is safety for the students and teachers present at a school or institution during a strike.

(5) Where the Principal or Manager has reasonable grounds to believe that the safety of students and members of staff not on strike may be at risk, the Principal or Manager may close the school or institution and advise the Managing Authority and the District Education Centre of his decision.”.

“Arbitration Panel.

‘149.-(1) There is established an Arbitration Panel comprised of the following three persons -

- (a) a legal practitioner;
- (b) a manager or Chief Executive Officer from the private sector or a quasi-governmental organization; and
- (c) an officer of the Public Service (skilled in mediation proceedings).

(2) The Arbitration Panel established under sub-rule (1) shall hear and decide on appeals against the refusal to grant a license to teach by the Chief Education Officer in accordance with rule 60.

(3) The Arbitration Panel shall be chaired by the member from the private sector or quasi-governmental organisation, as the case may be.

(4) An officer of the Ministry of Education shall be designated by the Chief Education Officer to act as Secretary to the Panel.

(5) All decisions of the Arbitration Panel shall be submitted in writing to the Chief Education Officer and the Chairperson of the Commission within 14 days of the decision of the Panel.”

“Representation
by agents.

149A. Every teacher is entitled to representation by an agent, whether legal counsel or otherwise, in all matters related to that teacher’s conditions of service.”.

THE COMMISSION AND MANAGING AUTHORITIES

Education & Training Act 2010	
Education & Training Act 2010 Section 17 (3) & (4)	Part X Section 41
<p>(3) <i>The Commission shall collaborate with the Chief Education Officer to help Managing Authorities achieve quality leadership in the administration of matters related to the employment and conditions of service of teachers through a system of support, guidance, training, and monitoring</i></p> <p>(4) <i>The Commission, in the exercise of its functions under this Act shall recommend the imposition of appropriate sanctions against any Managing Authority or Proprietor which fails to comply with the provisions made under this Act and Rules made thereunder for matters related to the employment and conditions of service of teachers</i></p>	<p>41. (1) Managing Authorities shall recruit, interview and select persons to fill vacancies for principals, vice-principals and teachers and shall offer employment to the selected persons in accordance with sections 28 and 29 and subject to section 17 (2) (a) of this Act and Rules made under this Act.</p> <p>(2) Managing Authorities may, with the approval of the Commission, appoint teachers who have successfully completed the required probationary period under their management pursuant to section 29</p> <p>(3) Managing Authorities are empowered to</p> <ul style="list-style-type: none"> (a) grant release to teachers who have so requested in accordance with Rules made under this Act; (a) transfer teachers within their management in accordance with section 31 (1); (b) grant leave of less than ten days such as sick, professional development, compassionate, urgent personal, paternity, and special leave in accordance with Rules made under this Act; (c) indicate support or otherwise, with justification, on applications for extended study leave, secondment or for posting as itinerant resource officer. (d) take disciplinary action for minor offences against teachers under their management in respect of oral and written warnings or reprimands; and (e) with the approval of the Commission, take disciplinary action against teachers under their respective management for major offences in accordance with this Act and the Rules made thereunder. <p>(4) The Minister shall by Rules made under this Act specify minor offences and major offences for the purpose of subsection (3) and prescribe the procedure for the making and investigation of complaints.</p> <p>(5) Nothing in subsection (3) (f) [relating to major offences] shall preclude a Managing Authority from suspending a teacher accused of a major offence pending a reference to the Commission as required by the said subsection.</p> <p>(6) A teacher aggrieved by disciplinary action taken against him by the Managing Authority may within 21 days proffer an appeal to the Tribunal in accordance with section 20.</p>

EDUCATION RULES

“Proprietor
appointment
of Managing
Authority.

31.-(1) Where a proprietor is responsible for a pre-school or primary school, the proprietor may itself act as the Managing Authority or appoint a single manager, a board or committee, or an independent agency, organization or corporate body to manage that school.

(2) Where a board, committee or an independent agency, organization or corporate body is appointed as the Managing Authority of a pre-school or primary school, the proprietor shall appoint, at his own expense, a general manager and such local managers who are suitably qualified to oversee the management of that school at the national and district levels respectively, under the direction and supervision of the Managing Authority. The general manager shall be the primary liaison between a Managing Authority and the Ministry, the Commission, and any other relevant body.

(3) Every proprietor having responsibility for one or more secondary, post-secondary, tertiary, or TVET school or institution shall appoint a board of management, board of governors or board of trustees, as may be appropriate and the board so appointed shall be the Managing Authority for each such school or institution and the chairman of a board shall be the primary liaison between a Managing Authority and the Ministry, the Commission, and any other relevant body.

(4) Notwithstanding sub-rule (3), where a school or institution comprises both a secondary school and junior college, the proprietor of the school or institution may determine, after providing sufficient justification for the case to the satisfaction of the Chief Education Officer, whether there shall be a joint board or separate boards of management for the different levels.

(5) A person who is actively employed or engaged as a teacher, principal or other staff member of a primary school shall not be appointed as a general manager or local manager of that school.

(6) A member of a board which has been appointed as Managing Authority of a secondary school, tertiary institution or an ITVET, except the principal, dean, or ITVET manager as the case may be, and staff representative, shall not be actively engaged or employed by the school or institution in any capacity.

(7) Where a proprietor owns more than one school or institution, the proprietor shall maintain an adequate management system so that each school or institution can be given the attention required under these Rules.”.

“Duties etc., of
Managing
Authorities.

32.-(1) Pursuant to section 40 of the Act, a Managing Authority in consultation with the school administration, teachers and staff, parents, and students as the case may be, is responsible for the formulation of policies and internal regulations in the following areas -

- (a) Curriculum and Instruction
 - (i) curricular and co-curricular organization and structure;
 - (ii) teaching and learning practices including assessment;
 - (iii) grading, promotion, graduation, certification, and awards; provided that any such policy is in accordance with policies and directives of the Ministry and in accordance with the Act and these rules;
- (b) Learning environment and support for students -
 - (i) the conduct, discipline, rights, and responsibilities of students in accordance with the Act and these rules;
 - (ii) access, admission and inclusion of students;
 - (iii) procedures and protocols for ensuring the health, safety and security of staff and students including children with disabilities
- (c) School ethos and community relations –
 - (i) ensure the engagement of parental and community involvement for the achievement and welfare of all students and the school;
 - (ii) foster a sense of individual and collective responsibility for the achievement and welfare of all students and the school;
 - (iii) promote high expectations for student success among teachers, students, parents, and the community;
 - (iv) ensure equity, fairness, and consistency and promote mutual respect in all matters pertaining to the relationships among all members of the school community;
- (d) Personnel -
 - (i) the conduct and professional obligations of the administrative, teaching, and ancillary staff of the school provided that any such policy, regulation or Code of conduct is approved by the Minister in accordance with section 29 (13) of the Act;
 - (ii) the compliance of the administration, teachers, and ancillary staff with the provisions of the Act and these rules.
- (e) Physical Plant use and maintenance –
 - (i) provisions for the repair and maintenance of all property belonging to the school;
 - (ii) the maintenance of inventories of school property;
 - (iii) provisions for the proper use of school facilities.
- (f) Use, management and accounting of financial resources of the school including the systems and procedures for accounting to be followed;
- (g) Quality Assurance including school self evaluation and improvement planning, implementation and monitoring.

(2) In keeping with the development and implementation of relevant policies under sub-rule 32 (1), a Managing Authority shall ensure for every school or institution under its management that –

- (a) proper physical conditions exist for the conduct of schooling through the regular maintenance of buildings and upkeep of the grounds of the school or institution;
- (b) the provision and maintenance of furniture, equipment and materials are sufficient for the number of students there enrolled;
- (c) the provision of conditions conducive to the health and safety of students and teachers is ensured; and
- (d) the provision of the necessary support for a quality learning environment for all children is maintained.

(3) A Managing Authority shall be responsible for the proper maintenance of all records pertaining to staff, students, and inventories of school property in accordance with the Act and these Rules and shall maintain a management information system for storing and retrieving information including information on students, staffing, finances and physical facilities and shall submit to the Ministry such information as required by the Act or these Rules or as may be required from time to time by the Ministry.

(4) A Managing Authority, through its appointed representative and primary liaison, is the main channel of communication between the Managing Authority and schools, institutions and teachers under its management and the Ministry, the Commission, the District Education Councils and other relevant bodies and in this respect shall -

- (a) ensure that all circulars and directives from the Ministry or District Education Council reach all schools or institutions under its management in a timely manner;
- (b) ensure that all circulars and directives from the Commission are given to the teachers concerned; and
- (c) prepare and submit to the requesting entity documents, reports, returns, and other information as may be required by the District Education Councils, the Commission, any other managing Authority and the Ministry;
- (d) submit to the secretariat of the Commission copies of the following documents, within five working days of processing -
 - (i) copies of all applications for release granted to teachers from its management;
 - (ii) reports of all instances of unauthorized leave by teachers;
 - (iii) copies of all applications for leave of less than ten days granted to teachers under its management;
 - (iv) copies of documentation relevant to disciplinary actions in relation to minor offences.

(5) A Managing Authority shall be responsible for the financial management of the school or institution and shall ensure that proper accounts are maintained.

(6) A Managing Authority shall conduct ongoing school supervision, in collaboration with the respective District Education Councils and District Education Centres, in all schools and institutions for which it is responsible and shall submit triennial reports on each school or institution to the Chief Education

Officer, the Council and TVET Council, as applicable, by the end of September of the school year immediately following the triennium to which it is applicable.”.

“Liability of
Managing
Authority.

33.-(1) A Managing Authority shall be held responsible for any violation of the Act and these Rules by any school or institution which comes under its authority, or which is acting on its behalf on the authorization of the Managing Authority.

(2) A contravention of the provisions of these Rules by any servant or agent of a Managing Authority shall be deemed to be a contravention by that Managing Authority, unless the Managing Authority establishes that such contravention was committed without its knowledge or that it exercised all due diligence to prevent the contravention, in such case the contravention would be deemed to have been committed by the servant or agent.”.

“Breach by
Managing
Authority in
relation to
employment and
conditions of
service of teachers.

33A.-(1)A Managing Authority commits a breach where, among other things, it –

- (a) employs a teacher not in possession of a valid licence to teach;
- (b) retains on staff an appointed teacher who has not met the requirements for maintaining a Full Licence to teach;
- (c) retains on staff a teacher with a Provisional Licence who does not obtain the qualifications for a Full Licence in the time prescribed;
- (d) takes disciplinary action against a teacher for a major offence without first seeking the approval of the Commission;
- (e) transfers or dismisses an appointed teacher without the approval of the Commission;
- (f) approves leave of more than ten (10) days for a teacher , without the approval of the Commission;
- (g) repeatedly fails to comply with the specified time frames for submission of applications by teachers;
- (h) fails to provide satisfactory evidence for supervision and support to teachers on probation;
- (i) fails to formulate and oversee the implementation of policies and internal regulations for the proper and efficient management of schools or institutions under its management; or
- (j) fails to meet the conditions for grant-in-aid as specified in section 46 of the Act.

(2) Where a Managing Authority commits a breach under sub-rule (1), section 45 or 46 of the Act, as the case may be, shall apply.”

LICENSING OF TEACHERS

Education & Training Act 2010	
Section 17 (2)	Part VIII Section 28 – Licensing of teachers
<p><i>(d) Approve the appointment of teachers to the teaching service</i></p>	<p>28. (1) A person wishing to teach in a preschool, primary school, secondary school, TVET, or other educational institution shall apply to the Chief Education Officer for an appropriate licence to teach.</p> <p>(2) The Chief Education Officer may, upon being satisfied that the prescribed requirements have been met, grant a full licence, a provisional licence or such other licence as may be prescribed, to the applicant which may be subject to prescribed conditions.</p> <p>(3) The requirements for each type of licences, the manner and conditions for licensing, employment and appointment of teachers, the regulation of the behaviour of teachers and other school staff, the Code of Ethics governing them, and disciplinary procedures and other measures applicable to them, including disqualifications for breaching any provisions of the Act or Rules made under this Act, or any other pertinent laws, shall be specified in Rules made under this Act: Provided that no person shall be granted a license to teach who has</p> <ul style="list-style-type: none"> (a) been convicted of a felony of a nature indicating unsuitability for the teaching profession, (b) not been certified by a registered medical practitioner to be free of <ul style="list-style-type: none"> (i) the use of illegal drugs, (ii) a communicable disease, or where he is Not free of a communicable disease, he does not constitute a risk of communicating said disease and is not likely to be a danger to the health of his students, or (iii) any infirmity likely to interfere with the efficient performance of the person’s duties. <p>(4) The requirements for maintaining a license to teach shall be prescribed in Rules made under this Act.</p>

EDUCATION RULES

56.-(1) Every person employed on the teaching staff of a pre-school, primary school, secondary, or Technical and Vocational school or institution shall possess a valid licence issued by the Chief Education Officer.

(2) A licence to teach shall constitute an agreement by the holder to abide by the Act and all Rules and Regulations made thereunder.

(3) A licence under subsection (1) shall allow teaching at one or more specified levels provided that the appropriate academic and professional requirements are satisfied.

Schedule 2.

(4) Subject to the conditions for licensing under the Act and these Rules, a person who applies and possesses the necessary qualifications, specified in the Schedule 2 to these Rules, for a Full Licence at the specified level and where appropriate, in the specified area, shall be issued a Full Licence.

(5) A Full Licence shall remain valid for a period not exceeding five years unless the licence is suspended or revoked by the Chief Education Officer in instances where the teacher fails to meet the requirements to maintain the licence or for such other causes or under such circumstances stipulated in the Act and these Rules.

(6) For the purpose of these Rules, the Commission shall cause to be maintained a database of teachers which shall include records of teachers in which pertinent information about all licensed teachers shall be recorded including their biographical data, type of licence, level at which licensed to teach, and any other information regarding the past and current status of the teacher.”

57.-(1) In order to obtain any category of teaching licence, a person shall -

“Requirements for licence to teach.

- (a) have a good command of the English language for effective communication in the classroom;
- (b) demonstrate personal and behavioural qualities to be a positive role model to students consistent with -
 - (i) respect for the status of Belize as a nation, a commitment to civic obligations, a commitment to the preservation and development of Belize, and an appreciation of the diversity of the people and cultures of Belize;
 - (ii) respect for the rights and property of others, the practice of fair treatment of others, respect for the law and respect for the basic values of society;
 - (iii) a sense of right and wrong, the practice of moral conduct, a commitment to truth and honesty, and respect for spiritual values; and
- (c) meet the requirements for academic and professional preparation necessary to obtain a licence to teach as stipulated by the Ministry from time to time.

(2) In order to obtain a Full Licence, a person shall, in addition to the above requirements -

- (a) have the necessary level of academic preparation in the subject area to ensure subject-matter competence for effective teaching at the specified level as stipulated and published by the Ministry;
- (b) have the necessary professional qualifications in the field of education to -
 - (i) effectively design a course and teaching plan;
 - (ii) effectively teach and conduct classroom and other educational activities to develop students in terms of their knowledge, skills and attitudes specified by the curriculum of the school, or the national curriculum prescribed by the Ministry and other qualities consonant with the educational goals of the school and educational standards and targets set by the Ministry;
 - (iii) develop and apply instruments to assess and evaluate student achievement;
 - (iv) effectively manage the classroom and maintain responsible supervision of students under his care;
 - (v) provide necessary physical care and emotional guidance of students under his care; and
 - (vi) where appropriate, effectively provide instructional leadership and school leadership and management.

(3) A framework that provides the qualifications for the issuing of teaching licences at the pre-primary, primary and secondary levels is set out in the Schedule 2 to these Rules. ”

“Maintenance of a full licence to teach.

57A.-(1) A teacher shall maintain a Full Licence to teach provide evidence of successful completion of a minimum of 120 hours of continuing professional development during the period of five years immediately following granting of the Full Licence through relevant studies in content and pedagogical areas or through other activities leading to enhanced competence in teaching, provided that such studies or other activities are approved by the Ministry.

(2) An appointed teacher who fails to meet the requirements to maintain a Full Licence to teach shall be struck from the Register of Licensed Teachers and the Register of Appointed Teachers and shall not be eligible for renewal of a Full Licence, continued employment or reappointment until he fulfils the requirements, at his own expense, and reapplies for a Full Licence in accordance with the Act and these Rules.”.

“Provisional licences and special licences.

58.-(1) The Chief Education Officer may, where a person does not possess all of the required academic or professional qualifications for a Full Licence to teach at the specified level, grant one of the following -

- (a) **Provisional Licence**, which is a licence issued for a period not exceeding five years to a person who lacks some of the qualifications for a Full Licence to allow the filling of vacancies where the supply of trained teachers is insufficient to meet the

demand. It shall be a condition of a Provisional Licence that the holder will acquire the necessary qualifications within the period of the licence;

- (b) **Special Licence**, which is a licence issued for an initial period of two years and is subject to renewal in accordance with sub-rule (5) to a person who possesses particular skills or experience specially required by a school or institution, to teach in such specialized skill or knowledge areas as may be required by the school or institution, or be manager of a TVET institution, under circumstances where the supply of persons with the specialized skill or knowledge along with pedagogical training are in short supply;
- (c) **Permit to Teach** is an authorization for a period not exceeding two years to allow a person to teach or provide voluntary services in any school in Belize where a person or teacher is -
 - (i) enrolled in a recognized teacher education programme in Belize or abroad and intends to undertake a period of internship in any school in Belize;
 - (ii) on an exchange programme between a foreign school and any school in Belize through an agreement or arrangement between the foreign school and the Managing Authority or with the Government, or Ministry; or
 - (iii) doing voluntary work in any school in Belize through an agreement or arrangement between a foreign school or organization and the Managing Authority or the Ministry or Government.

(2) A person granted a Provisional or Special Licence to teach shall not be eligible for appointment during the period that he holds such a licence.

(3) In accordance with section 29(7) of the Act, a teacher, who holds a Provisional Licence, shall be eligible for temporary employment on a year to year contract basis for a maximum period of five (5) years.

(4) A Special Licence as defined in sub-rule (1)(b) of this rule shall be issued only under circumstances warranting the employment of the person and such a person may be required, however, to undertake specific short-term professional development as may be necessary for improving instruction at and the development of the school or institution.

(5) A Special Licence shall be granted for an initial period of two years and may be renewed where the circumstances warrant the continued employment of the person for subsequent periods of two years in each case and a teacher in possession of a Special Licence shall not be eligible for temporary employment on probation as a prerequisite for appointment.”.

“Application for a licence to teach.

59.-(1) A person desirous of obtaining a licence to teach shall apply in writing to the Chief Education Officer on the Form EDR 1 as set out in Schedule 3 to these

Rules, accompanied by certified copies of required documents, testimonials and the specified processing fee at least three months prior to the expected date of employment through the appropriate District Education Centre.

(2) The District Education Manager upon receipt of an application, shall cause the particulars contained in the application to be verified and may require the applicant to provide additional information or documents that are necessary in order to enable the District Education Manager to forward the application to the Commission and if the applicant fails to comply with this request within a reasonable time (normally a period not exceeding thirty days) the District Education Manager may refuse the application and inform the applicant accordingly.

(3) The Commission shall verify the particulars of the application and make its recommendation to the Chief Education Officer and if the Chief Education Officer is satisfied that the applicant meets the requirements for the licence applied for, he shall issue the licence specifying the type of licence, and the level of schooling and subject area, where applicable.

(4) Notwithstanding any of the above, the Chief Education Officer may refuse the application and inform the applicant accordingly.

(5) The Chief Education Officer shall, subject to rule, where a person is employed as a teacher and does not meet the conditions for a licence to teach so inform the Managing Authority in writing and require that the Managing Authority remove the person within a specified period of time.”.

“Appeal against
Chief Education
Officer’s refusal
to grant licence

Schedule 3

60. A person aggrieved by the refusal of the Chief Education Officer to grant him a licence may, within thirty days of receipt of the decision, appeal to the Arbitration Panel for a review of the decision and such an appeal shall be made on Form EDR 2 as set out in Schedule 3 to these Rules.”

“Revocation
or
suspension
of a licence
to teach.

62.-(1) The Chief Education Officer may -

- (a) revoke a licence of a teacher where the teacher –
 - (i) has been convicted of a criminal offence of a nature indicating unsuitability for the teaching profession;
 - (ii) is dismissed for major offences involving any conduct which may be physically, morally, or otherwise harmful to students or other members of staff, or any conduct under Rule 92A(3);
 - (iii) has been convicted of an offence under rule 65(c); or

- (b) suspend a licence of a teacher where the teacher -
 - (i) has been dismissed in accordance with the Act and these Rules for serious and major offences;

- (ii) has failed to meet the requirements to maintain the licence;
- (iii) has failed to abide by the Act and Rules and Regulations made under the Act.

(2) The Commission shall, at the request of the Chief Education Officer, strike off or temporarily remove, as the case may be, from the Register of Licensed Teachers the name of any teacher whose licence has been revoked or suspended by the Chief Education Officer.”.

“Employment requirements.

64.-(1) The employment of all members of staff of any school shall be in accordance with these Rules and any other laws made governing the employment of such staff.

(2) A person employed as a teacher at a pre-school, primary, secondary level, or TVET school or institution shall possess a valid licence to teach in Belize at that level.

(3) A person employed as a Principal or Vice-Principal at a pre-school, primary, or secondary, school or institution shall possess a Full Licence and certification from a teachers college or institution of higher learning, showing successful completion of an approved programme of studies in educational leadership and that programme of studies shall be a programme approved by the Chief Education Officer on the advice of the Belize Board of Teacher Education and published periodically by the Ministry.

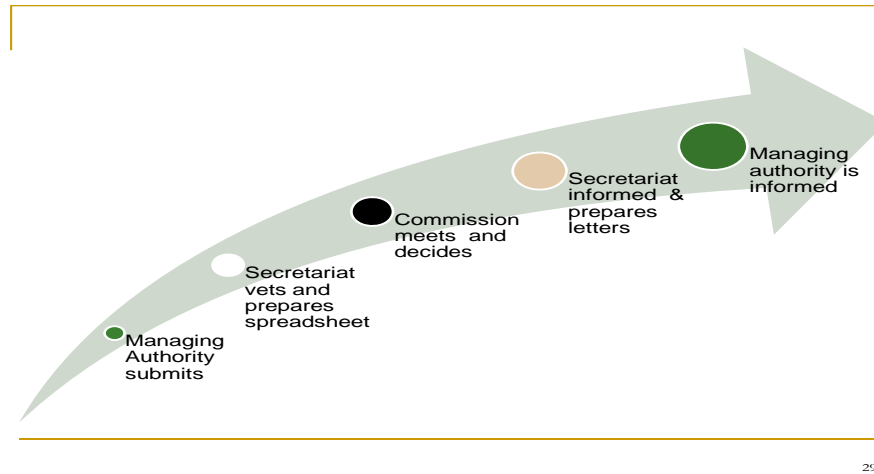
(4) Where a person employed as a Principal or Vice-Principal at a pre-school, primary or secondary, school or institution -

- (a) possesses only a Full Licence without more, that Principal or Vice-Principal shall be eligible for employment on a year to year basis only up to a maximum period of five years until that Principal or Vice-Principal, as the case may be, complies with the requirements under sub-regulation (3);
- (b) possesses a Provisional Licence, that Principal or Vice-Principal shall be eligible for employment on a year to year basis only up to a maximum period of seven years until that Principal or Vice-Principal, as the case may be, complies with the requirements under sub-regulation (3).

(5) Where a person is employed as a manager or Principal of a TVET institution and possesses a Special Licence to teach in Belize that manager or Principal shall possess certification in management or administration or relevant experience in a managerial or administrative position of at least five years.”.

COMMISSION PROTOCOLS AND PROCEDURES.

The Commission, its Secretariat & Managing Authorities



Meetings

- i. The Commission shall hold meetings at least once per month, but in any case, as frequently as is expedient for the timely transaction of the business of the Commission.
- ii. Notice of every meeting shall be given and the agenda of the meeting and minutes of the previous meeting there-of circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.
- iii. The Chairman shall preside over all meetings of the Commission. However, in the case of the absence or inability or the chairman to act, the vice-chairman shall conduct the proceedings of the meeting.
- iv. Six members of the Commission shall form a quorum at any meeting.
- v. Decisions of the Commission at meetings thereof shall be taken by a simple majority of members present and voting.
- vi. No act or proceeding of the Commission or of any committee thereof shall be invalidated on account of any vacancy among the members of the Committee or such committee except the Chairman.
- vii. The Chairman may, at any time, summon a special meeting of the Commission and shall call such a meeting within fourteen days if he receives a request for that purpose addressed to him in writing and signed by two members of the Commission.
- viii. A request for special meeting shall state the specific purpose for which the meeting is being summoned and such meeting shall consider only the specific purpose for which it was summoned.
- ix. There should be a copy of the Education and Training Act, 2010 and the Education (Amendment) Rules, 2012 available at all meetings of the Commission and its committees.

Record-keeping of the Work of the Commission

- i. Minutes of each meeting shall be kept by the Secretary or such person as the Commission appoints for this purpose, and shall be confirmed at the next regular meeting of the Commission.
- ii. Minutes are records of the decisions of the Commission and must be worded to ensure precision, clarity and completeness of information. While there should be conciseness in wording, future readers should be able to fully grasp the issues recorded without need for extensive clarification.
- iii. Each page of the minutes should be initialed by the Commission chair who should then affix his/her signature at the end of the document.
- iv. Tables/spread-sheets used to present information for action by the Commission will normally form part of the records of the Commission.

Treatment of Confidential Meeting Material

Material presented to the Commission will frequently include sensitive personal information on teachers in the system. In order to protect the confidentiality of such information, all documents presented to the Commissioners at each its meetings, or at meetings of the Commission's committees, shall be returned to the Secretariat at the end of each meeting.

Circulation of Documents Outside of Meetings

- i. From time to time, the Commission may have to make an urgent decision between meetings. In such cases, decisions may be made using a round-robin process where documents are circulated by e-mail to Commissioners, who will then submit their individual recommendation to the Secretary of the Commission.
- ii. In such cases, the majority rule used in regular meetings shall remain in force.
- iii. Cases which have sensitive and highly confidential issues should not be dealt with in this manner.
- iv. Issues dealt with in this manner should be of circumstances requiring highly urgent action and may include leaves such as urgent sick leave or maternity leave, compassionate leave, some temporary/replacement employments for over thirty (30) days.
- v. When a decision is so taken, it should be reported at the meeting immediately following such action so that the decision may be properly recorded in the minutes of the Commission.

Guidelines Regarding Correspondence between Commission and its Constituents

- i. All correspondence coming to the Commission from Managing Authorities should carry the signature of its Chairman. However, Principals may co-sign such correspondence.
- ii. All communication between the Commission and teachers should normally be copied to the Chairman of the relevant Managing Authorities.

- iii. Where action is requested by the Managing Authority on behalf of a teacher e.g. employment, leave etc. and any supporting documents have been omitted, the request for such documents should be sent to the Managing Authority and not to the teacher.
- iv. Where a Managing Authority is being asked by the Commission to reconsider disciplinary action imposed on a teacher, the correspondence should go directly to the Managing Authority.
- v. Requests by teachers for action from the Commission should normally come to the Commission through the Managing Authority. However, this does not eliminate direct contact to the Commission by a teacher.
- vi. When the Commission is responding to a teacher who has communicated directly with it, the Managing Authority should normally be copied on such correspondence.

Committees of the Commission

- i. Provisions made in the Belize Teaching Service Commission’s Handbook 2012 allow for the effective completion of transactions in an expeditious and transparent manner.
- ii. Number 6 (1) of the Third Schedule (*Education and Training Act, 2010*) states: “The Commission shall have power to appoint a Disciplinary Committee, an Appointments Committee, and such other committees from among its members as it may consider necessary from time to time and each such committee shall, subject to the directions of the Commission, have power to regulate its own proceedings”. The Commission may therefore delegate to such bodies recognized under the Education Act, the power and authority to carry out on its behalf such functions as the Commission may determine. However, any such delegation shall be without prejudice to the performance of those functions by the Commission.
- iii. Number 6 (3) of the Third Schedule (*Education and Training Act, 2010*) states: “The Chairperson of any standing or ad hoc committee shall present the results of the committee’s proceedings to the Commission for a final decision”.
- iv. Number 4 (5) of the Third Schedule (*Education and Training Act, 2010*) states: “The decision of the Commission or of a committee appointed by it shall be by a majority of votes of the members present, and voting and forming a quorum. In addition to an original vote cast by the chairman, he or she or any person presiding at a meeting shall have a casting vote in any case in which the vote is equal”.
- v. *Terms of Reference*
The Commission shall decide on the terms of office, powers and functions of every ad hoc committee it appoints.
- vi. *Officers of the Committees*
There shall be a chairman, vice-chairman, and secretary selected from its membership at its first meeting. Membership shall be no less than four. In the case of the absence or inability of the chairman to act, the vice-chairman shall conduct the proceedings of the meeting. When both the chairman and vice-chairman are absent or unable to preside the members shall choose one of their members other than the secretary to act as chairman. Commissioners are eligible to serve on no more than two committees.

vii. *Term of Office*

The term of office shall not extend beyond the term appointed to the Commission.

viii. *Meetings*

The committees shall meet at least once every month and at such times as may be necessary or expedient for the transaction of business and such meetings shall be held at such place and times and on such days as the committee may determine. Provisions can be made to hold meetings on the same day as meetings of the Commission providing adequate notice is provided to the Secretary of the Commission for proper scheduling. Notice of every meeting shall be given no later than one week in advance.

ix. *Quorum*

The quorum shall be half the membership plus one.

x. *Venue*

The venue for meetings shall be decided by the membership, but the same venue for the meetings of the Commission can be used if both meetings are scheduled for the same day.

xi. *Minutes*

The secretary shall record the proceedings of the meeting in a manner explicit to the membership and the Commission. Such minutes shall be presented to the Commission at the meeting immediately following the meeting of committee and shall outline the Committee's recommendations to the Commission.

xii. *Responsibilities of the Committees*

The work of the Committee is intended to enable efficient action by the Commission and to reduce any occasion for bottlenecks. Through the work of its Committees, it is expected that the Commission is able to expeditiously dispatch more routine matters and so have sufficient time to devote to more problematic cases. Therefore, with respect to the area of responsibility which has been assigned to a Committee by the Commission, the Committee shall:

- a. Ensure that
 - The procedures as set out in the Education Act and the Education Rules have been observed;
 - All relevant information necessary for the Commission to make a decision has been submitted by the Manager, teacher, or other relevant party.
- b. Make recommendations to the Commission for
 - Approval or rejection of action being requested of the Commission;
 - Follow-up action by the Secretariat or by the Managing Authority.
 - Request additional information to guide a decision by the Commission.
- c. Identify to the Commission cases which need special discussion and attention, and which may need more than routine treatment.

Relationships with Other Agencies and Organizations

i. Ministry of Education:

- a. The Teaching Service Commission shall implement policies and standards developed by the Ministry of Education.
- b. The Commission shall interface with the Ministry of Education through the Teaching Service Commission Secretariat which shall be charged with the responsibility for the administrative and management functions of the Commission.
- c. The Commission shall consult and collaborate with the Chief Education Officer as is appropriate.
- d. The Commission shall make recommendations to the Chief Education Officer with respect to the granting or revocation of teachers' licenses.
- e. The Commission shall be guided by the Teacher Education and Development Services (TEDS) on teacher training, licensing of teachers and related matters and shall collaborate with TEDS and the Belize Board for Teacher education (BBTE) as is necessary.
- f. There should be efficient communication lines between the Commission's Secretariat and the Ministry of Education's Finance Centre. Where the decisions of the Commission have implications for payments, these should be promptly communicated to the Finance Centre.

ii. Managing Authorities:

- a. There should be open communication between Managing Authorities and the Commission. The Commission shall verify and ensure compliance with standards set by the Ministry, and regulations prescribed in the Act and Rules made thereunder for employment of teachers. In carrying out related functions, therefore, Managing Authorities must present returns, reports, and requests to the Commission's Secretariat in accordance with the timeframes and deadlines stipulated (See schedule below).
- b. Where a Managing Authority fails to comply with the provisions made under the Education Act and Rules with respect to the employment and conditions of service of teachers and/or fails to make timely submission of related documents and reports, the Commission may request of the Chief Education Officer that appropriate sanctions, as set out in the education & Training Act, be imposed against the Managing Authority.
- c. In its efforts to ensure quality and efficiency in the operations of Managing Authorities with respect to the employment and conditions of service of teachers, the Commission may collaborate with the Ministry of Education in the conduct of periodic audits. Where the Commission finds a Managing Authority to be in frequent non-compliance with the requirements of the Education Rules, it may recommend that the Ministry of Education carries out an audit on the Managing Authority's operations.

iii. *Teaching Service Appeals Tribunal:*

The Commission shall cooperate with the Teaching Service Appeals Tribunal where a teacher has appealed any action of the Commission. It shall provide all necessary documentation and reports requested by the Tribunal and make appropriate arrangements to appear at hearings as the Tribunal deems necessary.

iv. *National Council for Education:*

The relationship between the Commission and the National Council for Education shall be a collaborative one.

v. *Public Services Commission:*

As parallel organizations the two Commissions shall collaborate on common issues. The TSC shall refer to the PSC *inter alia*, matters such as termination due to medical incompetence.

vi. *Regional Bodies:*

The Commission shall ensure that it is suitably represented on, or networked with, regional and/or international bodies which carry out related functions and which will serve to enhance the status of Belize teachers and ensure comparability of standards and appropriate recognition and status.

SCHEDULE A -**ACTION BY THE COMMISSION, ITS SECRETARIAT AND BY MANAGING AUTHORITIES**
JANUARY TO DECEMBER

MONTHS	TRANSACTION	RESPONSIBLE
JANUARY	Long leave processing (for April to June period)	TSC & Secretariat
	Transfer Forms (for third term in March)	Managing Authorities
	Study leave processing	TSC & Secretariat
	Employments	Managing Authorities, TSC & Secretariat
FEBRUARY	Grade Reports (for September to December semester of previous year)	Managing Authorities
	Transfer processing (for third term in March)	TSC & Secretariat
	Employments	Managing Authorities, TSC & Secretariat
MARCH	Employments	Managing Authorities, TSC & Secretariat
	Study leave processing	TSC & Secretariat
APRIL	Employments	Managing Authorities, TSC & Secretariat
	Long leave processing (for August to November period)	TSC & Secretariat
MAY	Transfer Forms (for first term in September)	Managing Authorities
	Employments	Managing Authorities, TSC & Secretariat
JUNE	Employments	Managing Authorities, TSC & Secretariat
	Transfer processing (for first term in September)	TSC & Secretariat
JULY	Grade Reports (for January to May semester)	Managing Authorities
	Study Leave Bonds (for leave commencing September)	Secretariat
	Exemption From Call to Duties	Managing Authorities, TSC & Secretariat
	Employments	Managing Authorities, TSC & Secretariat
AUGUST	Grade Reports Processing (for January to May Semester)	Secretariat
	Employments	Managing Authorities, TSC & Secretariat
SEPTEMBER	Long Leave Forms (for April to July of the following year)	Managing Authorities
	Transfer Forms (for second term in December)	Managing Authorities
	Employments	Managing Authorities, TSC & Secretariat
OCTOBER	Employments	Managing Authorities, TSC & Secretariat
	Transfer processing	TSC & Secretariat
NOVEMBER	Employments	Managing Authorities, TSC & Secretariat
DECEMBER	Long Leave Forms (for August to November of the following year)	Managing Authorities
	Study Leave forms (for September following year)	Managing Authorities
	Employments	Managing Authorities, TSC & Secretariat

SCHEDULE B-**ACTION BY THE COMMISSION, ITS SECRETARIAT AND BY MANAGING AUTHORITIES**

TRANSACTION	DEADLINE FOR SUBMISSION As stipulated in Rules	Deadline for Submission To Secretariat/TSC
Sick Leave	<ul style="list-style-type: none">• Inform principal within first day of illness• Submit application to GM no later than third day of illness	As soon as possible
Maternity Leave	8 weeks prior to confinement date	6 weeks before confinement date
Paternity Leave	Immediately (proof of paternity is due 1 month after resumption)	Immediately (proof of paternity is due 1 month after resumption)
Leave on Urgent Personal Affairs	Immediately	Immediately
Compassionate Leave	Immediately	Immediately
Special Leave	2 weeks before	1 week before
Professional Development Leave	2 weeks before	1 week before
Leave Without Pay	2 months prior to commencement of leave	As soon as possible
Disciplinary Package	Immediately	Immediately
Employment Package	Immediately	Immediately
Secondment & IRO	Immediately	Immediately

GUIDELINES TO THE COMMISSION REGARDING THE HANDLING OF DISCIPLINARY ACTION

In carrying out its responsibility to approve disciplinary action against teachers for major offences, the Commission must ensure that the fundamental rights and freedoms of the persons charged are observed and that substantive and procedural due processes are observed. The procedure followed in the conduct of an investigation is of primary importance.

1. **Due process** ensures that all persons are treated fairly.
 - *Substantive due process* basically ensures that an action taken against a person is sufficiently justified by a purpose.
 - *Procedural due process* basically ensures that in taking an action against a person, the proper procedures were followed from beginning to end. *Often a recommendation for disciplinary action is overturned, not because the decision was wrong, but because the process followed violated the principle of procedural due process.*

2. In reviewing the actions taken by Managing Authorities which resulted in a recommendation for disciplinary action, Commissioners must have satisfied themselves that the following rights had been afforded the person against whom the disciplinary action is to be initiated:
 - a. Written notification of the charges
 - b. Opportunity for a hearing by an impartial panel
 - c. Disclosure of the evidence to be used against him/her and names of witnesses to be called
 - d. Opportunity to be represented by legal counsel or other agent and to present evidence and witnesses in his/her defence
 - e. Adequate time to prepare a defence/rebuttal to the charges
 - f. Evidence-based decisions. The Commission should therefore evaluate the nature of the evidence used by Managing Authorities in the process of deciding that there were grounds for disciplinary action. In doing this, the Commission must ensure that the Managing Authority relies on evidence that has been disclosed to the teacher.
 - g. The right to appeal

3. The Commission must ensure that Managing Authorities follow procedure and must ensure that Managing Authorities present evidence and documentation to support their recommendation.

4. In making the decision whether or not to uphold the recommendation of the Managing Authority, the Commission must ensure that all adequate, relevant and necessary information has been provided. Where the information provided is inadequate to lead to informed decision-making, or where the Commission observes gaps in the procedures carried out by the Managing Authority, the Commission should cause further investigation to be made.
5. Decisions should be guided by the Education Act and the Education Rules, as amended. In upholding a decision of a Managing Authority, therefore, the Commission must be satisfied as to the specific provisions which govern the decision.
6. Managing Authorities and Principals must be guided to keep appropriate and thorough documentation of description of misconduct and the warnings both oral and written that have been administered.
7. The Commission should encourage the implementation by Managing Authorities of a series of progressive disciplinary steps with incremental increases in the disciplinary action imposed and should therefore verify that the teacher had been provided with reasonable opportunity to correct the alleged misconduct.
8. Commissioners must familiarize themselves with the Education Act and Education Rules generally, but must pay particular attention to
 - a. What constitutes minor and major offences;
 - b. The penalties that can be imposed and the offences that would merit each penalty,
 - c. The respective roles of Principals, Managing Authorities, the Commission and the Appeals Tribunal,
 - d. The procedures and expectations of the Appeals Tribunal.

DISCIPLINARY ACTION

Grounds For Disciplinary Actions Against A Teacher²

1. Where the teacher conducts himself in a manner inconsistent with the expressed or implied conditions of his service or in a manner prejudicial to the efficient or effective operation of a school or in a manner which brings the teaching profession into disrepute or is considered inimical to the interest of education
2. Where the teacher fails to perform his lawful duties or willfully disobeys legal orders given by those duly authorized to give such orders
3. For repeated neglect or failure to observe regulations and requirements under the Act, Education Rules and School Rules
4. For failure to improve performance as determined through clinical supervision of teaching, performance assessment and other measures
5. For using without proper authorization the property or facilities of the school
6. For any conduct which may be physically, morally or otherwise harmful to students or other members of staff
7. For activities involving dishonesty, for possession or use of illicit drugs, for moral turpitude or where the person is convicted of a criminal offense
8. For participating actively in school for or against any political party or candidate in any National or municipal election and
9. For actions directed at subverting the democratic process or the interest of the community and society

Provisions relevant to disciplinary action and proceedings: Rules 92A, Rule 93, 94, 94A, 95, 96, and 97 of the Education Rules, as amended³

A full list of major and minor offences is given at Rule 92A (2) and (3) of the Education Rules, as amended.

Disciplinary Procedures For Cases Involving *Suspension, Dismissal Or Termination of Service*⁴

1. A Managing Authority, where allegations of the commission of a major offence have been made or where repeated minor offences have resulted in a major offence, may place a teacher on administrative leave while it investigates an accusation of misconduct against him if the Managing Authority has grounds to believe that it is in the best interest of the students and the school.
2. Managing Authority conducts investigation to determine grounds for disciplinary action.
3. The Teacher must be informed of the charges against him/her and informed of his/her right to have an agent/representative and must be given a reasonable opportunity to be heard in his/her defence.
4. There must be disclosure of evidence against the teacher to that teacher and his agent/representative within a reasonable time in order for the observation of the rule that the teacher must be given a reasonable opportunity to prepare his/her defence which is essentially a part of the right to be heard.

² this list is not exhaustive and reference must be made to the Education and Training Act and Rules with particular reference to Rule 92A, Education Rules, as amended.

³ Reference must be made to the Education and Training Act and Rules for a complete list of relevant provisions.

⁴ Be mindful of Sections 32, 33 and 41 of the Education and Training Act, with particular emphasis on section 41(3)(e) and (f).

5. The hearing must be conducted before an impartial panel (Managing Authority) that is properly constituted to hear the matter against the teacher. Any person with interest, whether in carrying out investigations, laying the charges or *an axe to grind* must recuse himself/herself from sitting and deliberating on the matter. If an interested member of the panel must sit, he must recuse himself/herself at the deliberation stage of the process. The latin maxim *nemo iudex in sua causa*⁵ must always be borne in mind in conducting hearings.
6. Where grounds for action are established, the Managing Authority makes its determination for appropriate disciplinary action and makes its recommendation to the Commission for its approval. All relevant evidence presented and relied on by the Managing Authority in making its determination must be submitted to the Commission for the Commission to be properly informed of the basis of the recommendation of the Managing Authority.
7. The Commission makes a determination based on the merits of the case. It either upholds the decision of the Managing Authority, or makes a decision of its own, whether overturning the Managing Authority's decision or remitting the case to be Managing Authority.
8. The Managing Authority and teacher are both simultaneously informed of the decision of the Commission⁶.
9. The Managing Authority is required to comply with the decision of the Commission and the Commission must act on any report that its findings are not being adhered to by a Managing Authority⁷.

Appeals⁸

1. A teacher aggrieved by an order of the Managing Authority for suspension without pay, or on half pay, fine or loss of salary, deferment or stoppage of salary, increment, demotion in rank, retirement in the interest of the profession, termination or dismissal from service, may proffer appeal to the Appeals Tribunal within thirty (30) days of the receipt of the order⁹ of the Managing Authority.
2. A person who is aggrieved by a decision of a Managing Authority to transfer, dismiss, or take other disciplinary action against teachers in the teaching service may proffer an appeal to the Appeals Tribunal in accordance with Regulations¹⁰ made under the Act¹¹.
3. A person who is aggrieved by a decision or determination of the Commission taken or made in the lawful exercise of its functions¹², may proffer an appeal to the Appeals Tribunal in accordance with Regulations made under the Education Act¹³.
4. The Appeals Tribunal hears the case and both parties are entitled to present evidence and call witnesses and to be represented at the hearing.

⁵ A person cannot be judge in his own cause.

⁶ The teacher must also be informed because he/she has a right to know what the status of the matter is. Many at times the Commission's findings are not made known to the teacher promptly.

⁷ Section 45, Education and Training Act.

⁸ Become familiar with Part VI and section 33 of the Education and Training Act.

⁹ That is, the decision taken against him, see section 33, Education and Training Act.

¹⁰ There are currently no regulations made in this respect.

¹¹ Section 20(2), Education and Training Act.

¹² See section 17, Education and Training Act, for the functions of the Commission

¹³ There are currently no specific regulations made in this respect and the provisions of the Act and Rules generally, giving time and right of appeal must be relied on.

5. The Tribunal deliberates taking any action it deems necessary and may confirm, set aside, modify or suspend the decision under appeal or take such action as it thinks fit.

Disciplinary Procedures For Cases Not Involving Suspension, Dismissal Or Termination Of Service

See Schedule 6 of the Education (Amendment) Rules 2012 on guidance for proper procedure¹⁴.

Appeals¹⁵

1. Teacher may proffer appeal to the Tribunal within thirty (30) days of receipt of decision from which he/she is appealing.
2. Teacher and agent have a right to appear before Tribunal to present its case against the Managing Authority.
3. The Appeals Tribunal deliberates and may take any action it deems necessary and may confirm, set aside, modify or suspend the decision under appeal or take such action as it thinks fit

Criminal Proceedings Against a Teacher¹⁶

1. Where a teacher has been criminally charged, a Managing Authority may institute disciplinary proceedings against the teacher¹⁷.
2. In situations where the Managing Authority considers it in the best interest of the students and school that the teacher immediately ceases to perform duties, it may interdict the teacher from his duties and reports the matter, in writing to the Commission detailing the charges and the grounds¹⁸.
3. Where the Commission agrees with the interdiction of the teacher, the teacher may receive a portion of his salary not being less than 50% as approved by the Commission on the recommendation of the Managing Authority. Such salary reduction during interdiction may only last for a maximum period of 6 months¹⁹.
4. Disciplinary proceedings may be instituted against a teacher notwithstanding that the teacher has appealed a conviction arising out of criminal proceedings²⁰.
5. Disciplinary measures taken against a teacher who has been criminally charged must be in respect of an alleged act of misconduct and cannot be in respect of, or supported by, the alleged criminal charge itself because this will affront the double jeopardy principle.

Other Disciplinary Measures²¹

1. oral and written warnings or reprimands;

14 See also section 41(2)(e) and Rule 93(2). Take note that the sanction of the Commission only relates to major offences. (see section 41(2)(f) which corresponds with section 17(1)(h) of the Education and Training Act). Take note also that a teacher has a right of appeal to the Tribunal, from disciplinary action taken against him by a Managing Authority.

¹⁵ See Section 20, Education and Training Act.

¹⁶ See Rule 96, Education Rules, as amended.

¹⁷ Rule 96(1) of the Education Rules, as amended.

¹⁸ Rule 96(2) of the Education Rules, as amended.

¹⁹ Rule 96(3) of the Education Rules, as amended.

²⁰ Rule 96(6) of the Education Rules, as amended.

²¹ This list is not exhaustive and reference to the Education and Training Act is advised.

2. misconduct meetings;
3. required counseling;
4. demotion in rank;
5. deferment or stoppage of salary increment;
6. fine or loss of salary;
7. interdiction with half pay for a period not exceeding six (6) months;
8. retirement in the interest of the profession;
9. termination of service;
10. dismissal and revocation of licence.

QUICK REFERENCE SECTION

MANAGING AUTHORITIES²²

1. A Managing Authority may be a single manager, a board or committee, or an independent agency or organization appointed by the proprietor to manage the school or institution. (Rule 12, Education (Amendment) Rule, 2012)
2. The Managing Authority may authorize a representative to act on its behalf in the execution of its duties.
3. Notwithstanding the foregoing, the Managing Authority shall be held responsible for any violation of the Act and the Rules by any school or institution which comes under its authority.
4. A person appointed as a Managing Authority or as a representative of a Managing Authority cannot at the same time be actively employed or engaged as a teacher or principal, except in the case of pre-schools as provided for in these Rules.

ROLES & RESPONSIBILITIES OF MANAGING AUTHORITIES²³

A Managing Authority in consultation with the school administration, teachers and staff, parents, and students as the case may be, is responsible for the formulation of policies and internal regulations in the following areas-

- (a) curriculum and instruction
 - (b) learning environment and support for students
 - (c) school ethos and community relations
 - (d) school personnel
 - (e) physical plant use and maintenance
 - (f) management and accounting of financial resources of the school
 - (g) quality assurance including school self evaluation and improvement planning, implementation and monitoring.
1. Managing Authorities shall be responsible, with the approval of the Commission, for the recruitment and employment of teaching and support staff. In this connection, Managing Authorities shall ensure that systems and procedures are in place for personnel management functions including:
 - a. employing adequate systems and procedures for recruiting and contracting staff;
 - b. payment of salaries, allowances and benefits;

²² Refer to the Education and Training Act and Rules for specific and accurate reference.

²³ See Rule 32, Education Rules, as amended.

- c. processing leave applications and other entitlement related to the terms and conditions of service;
 - d. conducting procedures related to performance appraisal and the professional development of staff;
 - e. maintaining personnel files and records of service on each member of staff including a copy of contract, leave records, biographical data, information on professional and, other qualifications related to teaching, licence to teach, salary and related information; and
 - f. providing copies of records of service and other relevant documents as may be required by other management's and the Commission in the event of transfer of teachers, students.
2. A Managing Authorities shall be the main conduit for communication between the Ministry of Education and schools or institutions under its management and in this respect shall:
- a. ensure that all circulars and directives from the Ministry, Commission or District Council reach the school or institution; and
 - b. maintain a management information system for storing and retrieving information including information on student enrollment, staffing, physical facilities and shall submit to the Ministry such information as required by the Act or Rules or as may be required from time to time by the Ministry.
3. Managing Authorities shall be responsible for the financial affairs of the school or institution and shall ensure that proper accounts are maintained. In the case of government-aided schools and institutions, Managing Authorities shall:
- a. provide the Ministry of Education with quarterly financial statements to be received in the Ministry no later than the end of the month following the period for which the statement is due; and
 - b. provide the Ministry of Education with a copy of an audited financial report triennially to be received in the Ministry no later than the end of September of the school year in which the report comes due.
4. In carrying out its responsibilities, a Managing Authority shall conduct ongoing supervision, in collaboration with the respective District Education Councils and District Education Centres, all schools and institutions for which it is responsible and shall submit triennial reports on each school or institution to the Chief Education Officer, the Education Council and TVET Council, as applicable, by the end of September of the school year immediately following the triennium to which it is applicable.

GENERAL CONDITIONS OF SERVICE

PROCEDURES FOR LICENSING OF TEACHERS²⁴

1. Applicant completes license application form and submits:
 - a. Complete Application form in Duplicate
 - b. Two character references
 - c. Two Certified Passport size Photographs
 - d. Certified Copies of the following signed by a Justice of the Peace:
 - ❖ Transcript of grades of highest qualification obtained
 - ❖ Diploma or Degree
 - ❖ Other Academic Certificates
 - ❖ Birth Certificate, passport or Social Security Card
 - ❖ Marriage Certificate, where applicable
 - ❖ Police Record
 - ❖ Medical Certificate
 - ❖ Work Permit (*where applicable*)
2. Applicant submits completed *forms* with *references* and certified copies of relevant documents to District Education Centre (DEC). Applicant ensures that both copies of the application forms are signed and dated.
3. DEC verifies particulars and forwards application to Commission for recommendation
4. Commission makes recommendation to Chief Education Officer
5. Chief Education Officer grants/refuses license.
6. Commission informs applicant
7. Commission enters information on Teacher Register

PROCEDURES FOR APPEAL AGAINST REFUSAL TO GRANT A LICENSE TO TEACH

See Rule 28 [Education (Amendment) Rules, 2012 which amend Rule 60 of the principal Rules] Rule 70 of the [Education (Amendment) Rules, 2012 which amends Rule 149 of the principal Rules] addresses the composition and functions of the Arbitration Panel.

1. Aggrieved person appeals to Arbitration Panel within thirty days of the Chief Education Officer's Refusal to grant the person a licence²⁵.
2. Appeal is lodged on prescribed form known as Form EDR 2²⁶.
3. Appeal Form is forwarded to the Ministry of Education for the attention of the Secretary to the Panel who is charged with bringing it to the attention of the Panel.

²⁴ Ref n. 17 *supra*

²⁵ See Rule 60, Education Rules, as amended.

²⁶ *Supra*.

4. Appeal Form is forwarded to Arbitration Panel.
5. Panel meets within twenty one (21) days.
6. Decisions of the Arbitration Panel are submitted in writing to the Chief Education Officer and to the Chairperson of the Commission within fourteen (14) days of the Panel's decision²⁷.

Note:

Appeal form must be completed in DUPLICATE and submitted to the Ministry of Education for the attention of the Secretary to the Panel within thirty (30) days of notification of Refusal.

TERMS AND CONDITIONS OF EMPLOYMENT

The terms and conditions of service of Teachers are governed by the following:

1. Education and Training Act 2010
2. Education Rules, as amended (Statutory Instrument No. 87 of 2012)
3. Teachers' Pension Act 2000.

CONTRACT OF EMPLOYMENT

Education Rule 70 as amended by SI 87 of 2012

All teachers must enter into a contract agreement with their respective Managing Authority. Detailed provisions for employment contracts based on Licence Type and employment status are give in Rule 70.

REQUIRED DOCUMENTS

A teacher must present the following documents to his Managing Authority for onward submission to the Commission prior to his employment in the teaching profession:

1. Valid licence to teach in Belize²⁸
2. Certified copies of academic qualifications
3. Belize Social Security Card
4. Medical Certificate
5. Marriage certificate, where applicable
6. Birth Certificate or Passport
7. Character References
8. Evidence of citizenship status, police record or work permit in the case of foreign nationals

APPOINTMENTS

The Teaching Service Commission shall approve the appointment on the recommendation of Managing Authorities of Teachers, Vice Principals and Principals of government and grant aided schools²⁹.

TEMPORARY EMPLOYMENT OF REPLACEMENT TEACHERS³⁰

²⁷ See Rule 149, Education Rules, as amended

²⁸ Section 29, Education and Training Act.

²⁹ See Rules 70 and 71, Education Rules, as amended.

³⁰ See Act and Rules for specific and accurate provisions and procedure.

For non vacant positions due to teachers proceeding on leaves such as

1. maternity leave
2. sick leave
3. leave without pay
4. study leave or
5. long leave

The advertising, recruitment and selection process must be applied in the above cases³¹.

SHORT TERM TEMPORARY EMPLOYMENT OF REPLACEMENT TEACHERS

However in cases of unexpected and/or emergency vacancies see **MEMO: REF: GEN/06/11(150) as follows:**

The Education and Training Act, 2010 under section 29 (11) provides for the filling of short term vacancies:

- 29. (11) A teacher in possession of a valid license to teach may be given temporary employment for an appropriate period in the case of filling temporary vacancies that may arise during the course of the school year.”*

This provision under the Act allows the filling of short term, emergency vacancies and the policy intended in exceptional circumstances would be applicable in cases of:

1. extended sick leave
2. the death of an employed teacher
3. the resignation of a teacher during the school year,
4. the abandonment of post, and
5. suspension or administrative leave (pertaining to the investigation of disciplinary charges) of a teacher

All of the aforementioned are instances where a replacement teacher must be urgently placed in a school in order to ensure that students are not deprived of valuable contact time. Therefore these instances are exceptional in nature warranting waiver of requirement for interview and the three month selection process.

Managing Authorities may, therefore identify and employ a temporary replacement teacher to fill an emergency short-term vacancy created by any of the eventualities seen at paragraphs 1-5 above. The Teaching Service Commission may, in such emergency cases waive the requirement for Managing Authorities to comply with the procedure for advertising vacancies and conducting interviews.

However, in the filling of such a vacancy the following provisions shall apply:

- a. The period of temporary employment shall not exceed a maximum of three months in any given case.
- b. The replacement teacher must hold a valid licence to teach and his employment is subject to the approval of the Commission in an expedited manner.

³¹ See n.23, *supra*

- c. The continued employment of this teacher beyond the stipulated time would be subject to the requirements for the recruitment and selection of teachers and the approval of the Commission.

The procedures for the filling of all other vacancies are subject to the Education and Training Act, and to Rules made under the Act.

EMPLOYMENT OF NEW TEACHERS OR FOR FILLING VACANT POSTS

The Commission may grant approval for the employment of teachers to fill vacant teaching positions that may result from:

1. An approved request for a new additional teacher where growth in the school enrollment so justifies in accordance with the staffing schedule.
2. Transfer
3. Release
4. Termination or
5. Retirement of a teacher

The employment of such teachers will be in accordance with Rule 66 (Filling of Vacancies), Rule 70 (Contracts of Employment), and Rule 72 (Probationary period of employment and conduct of appraisals). Please note that only Teachers in possession of a FULL Licence to Teach are subject to a probationary period of employment for up to two years as a prerequisite for Appointment to the Teaching Service. Persons in possession of a Provisional or Special Licence are eligible for Temporary employment only, in accordance with Rules 56, 57, 57A, and 58 of the Education Rules, as amended.

APPOINTMENTS TO THE TEACHING SERVICE³²

A Teacher in possession of a FULL Licence is subject to employment for a Probationary period as a prerequisite for Appointment to the Teaching Service in accordance with section 29 of the Act and Rules 71 and 72 of the Education Rules, as amended.

1. Teacher undergoes a probationary period for up to two calendar years.
2. Teacher is assessed a minimum of twice in the calendar year (first appraisal no earlier than the third month and no later than the fifth month and second appraisal no earlier than the seventh month but no later than the ninth month) and performance is discussed with teacher. Relevant support informed by the assessments is provided to teacher.
3. Managing Authority recommends to Commission whether to confirm or terminate the appointment of teacher no less than two (2) calendar months before the end of the probationary period.

³² Be minded of sections 17, 28, 29 and 41 of the Education and Training Act in relation to appointments to the teaching service. Be minded too that several Rules touch and concern appointment.

4. Notice of termination or confirmation should be made one (1) calendar month before end of probationary period
5. Teacher receives confirmation to post at the successful completion of probationary period
6. The Managing Authority submits the following to the Commission for appointment of a teacher:
 - a. copy of the contract of service,
 - b. an employment letter,
 - c. valid licence to teach in Belize
 - d. academic and professional qualifications,
 - e. references,
 - f. birth certificate or other valid evidence of age and nationality and
 - g. where warranted marriage certificate and evidence of citizenship status or work permit³³.

ACTING APPOINTMENTS TO VACANT POSTS³⁴

Acting appointment against a non-vacant post is for one year but may be extended on an annual basis

1. Acting appointment against vacant post is not to exceed one (1) year
2. Teachers or vice principals are awarded an acting allowance/responsibility allowance for the period of acting
3. If the appointment of the person who is acting is confirmed, he receives the full salary of that post from the date of assumption of duty or from the date that the post became vacant.

TRANSFERS³⁵

1. A vacancy for the post of teacher, vice principal or principal can be filled by the transfer of a person on the established staff of the same management.
2. Transfer is **not to** be used as a disciplinary measure but should be beneficial to the receiving school and teacher.
3. Application for transfer is done using the prescribed form.
4. A teacher who is to be transferred is given no less than two (2) months notice.
5. Transfers take effect on the first day of a school term.
6. A teacher cannot be transferred more than once every three (3) years unless where it is requested by him/her.
7. Teachers who are actively engaged in community services at the school or community level shall not generally be transferred except at his own request or sufficient justification is provided by the Managing Authority to effect such a transfer.
8. No application for transfer will be approved in respect of a teacher against whom disciplinary action is pending.

³³ Paragraphs 1-6 represent a very concise reproduction of the law. See the Act and Rules for an accurate reflection of the required procedure/steps.

³⁴ See Rule 67, Education Rules, as amended.

³⁵ For precise guidance refer to the application law. See section 31, Education and Training Act; Rule 69, Education Rules, as amended.

9. Depending on who initiates the transfer and whether the Commission approves the transfer, a **transfer grant** to assist in transportation costs is paid by the Ministry of Education, providing the teacher has completed a minimum of two years as an appointed teacher.

RELEASES³⁶

1. A release is requested for transfer of services from one Managing Authority to the other, to the University of Belize, to facilitate secondment to the Public Service or other organization, or to facilitate posting as Itinerant Resource Officer
2. Request for release is made in **writing**.
3. Teacher should give Managing Authority no less than one **(1) calendar month's** notice or forfeit one (1) month's salary in lieu of notice. Note that applications for Secondment or posting as an Itinerant Resource Officer should be submitted to Managing Authority no less than 3 months prior – Rules 67A and 67B.
4. Upon requests, Managing Authority releases the teacher; the release letter states the teacher's particulars including *effective date of release, increment date, social security number, last salary, & date of appointment*.
5. The release letter is sent to the new Managing Authority and copied to the Commission.
6. No release will be granted to a teacher against whom disciplinary action for a major offence is pending³⁷.

ITINERANT RESOURCE OFFICER³⁸

1. The purpose is to fill positions left vacant and for shortage of specialized skills within the Ministry of Education.
2. Teacher is recruited and appointed itinerant resource officer.
3. The terms and conditions of service while posted to the Ministry of Education is in accordance with the Public Service Regulations.
4. Teacher's recruitment, where applicable, is for an initial period of two (2) years, after which he should resume classroom duties or request appointment to the post within the public service if the post is vacant.
5. The period of posting may be extended for one additional year if sufficient justification is given by the teacher's supervisor

SECONDMENT³⁹

1. The purpose is to fill a position in an office, post, agency, organisation or institution outside the Government or Grant-Aided Education System
2. Teacher is recruited and seconded to the post.
3. The terms and conditions of service while posted on secondment is in accordance with the rules and regulations of the receiving organization.

³⁶ See Section 31, Education and Training Act and Rule 67C, Education Rules, as amended.

³⁷ Paragraphs 1-6 must be relied on only by firstly having reference to the actual provisions governing releases in the Act.

³⁸ See Section 31, Education and Training Act and Rule 67B, Education Rules, as amended.

³⁹ See Section 31, Education and Training Act and Rule 67A, Education Rules, as amended.

4. Teacher's recruitment is for an initial period of two (2) years, after which he should resume classroom duties or request appointment to the post and resign his post as a teacher from his Managing Authority.
5. The period of posting may be extended for one additional year if sufficient justification is given by the teacher's supervisor
6. The service of a teacher while on secondment shall not count for superannuation purposes unless the receiving organisation makes payment of the prescribed percentage of the teacher's yearly salary to the Government of Belize, such payment being the teacher's contribution to the pension fund.
7. Any period of employment while on secondment shall not accrue towards Long Leave. The teacher, on return to his teaching post, will re-commence the accrual of Long Leave.
8. Long leave earned by a teacher, prior to being seconded, should preferably be taken prior to secondment or on return to the teaching post⁴⁰.

RESIGNATION⁴¹

1. A teacher desiring to resign shall give no less than **one calendar month's notice** or forfeit one month's salary in lieu of notice.
2. A teacher who resigns after two consecutive terms in any one school year shall be entitled to receive **one month's salary** beyond the effective date of resignation.
3. A teacher who resigns after serving for all 3 terms of a school year shall be entitled to salary for **July & August**.

RETIREMENT⁴²

1. Retirement is processed in accordance with the **School Teachers Pensions Act**⁴³
2. A teacher who resigns/retires after **10** consecutive years of service may be qualified for a gratuity.
3. A teacher who resigns/retires after **15** or more consecutive years may be qualified for a **pension and gratuity**.
4. A teacher may opt for a **full pension** or **reduced pension with gratuity** for his retirement benefits.
5. The following documents must accompany a retirement letter:
 - a. Certified Copy of Birth Certificate/ Passport.
 - b. Certified Copy of Marriage Certificate/Divorce certificate/Document on name change.
 - c. Certified Copy of Social Security Card
 - d. Retirement Application Letter from teacher to management (Board) including *effective date of retirement* and *retirement benefit option*.
 - e. Retirement Endorsement Letter from management (Board) to Ministry including *teacher's last salary* and *period of employment*.
 - f. Affidavit(s) confirming period of service where applicable.
 - g. A copy of the teacher's confidential file where applicable

⁴⁰ Paragraphs 1-8 must be relied on only by firstly having reference to the actual provisions governing secondment in the law.

⁴¹ See Rule 73, Education Rules, as amended.

⁴² See Rule 74, Education Rules, as amended.

⁴³ See too Schedule 5, Education Rules, as amended.

INCREMENTS⁴⁴

1. Increments are awarded for: Satisfactory **annual performance** and **attainment of higher qualifications**
2. Annual increments are **not automatic** but based on **satisfactory** performance
3. **In order to qualify for the annual increment, a teacher must be employed for not less than one year**
4. Annual Increments are **not awarded** during the period in which the teacher is on study leave
5. Increments for higher qualifications are awarded the **month following** that in which the qualification is completed
6. Increment for higher qualification does not alter normal annual incremental date

INCREMENTAL DATES⁴⁵

1. Incremental date is reflective of the date of appointment
2. For appointment from:
 - a. 1st to 15th – current month
 - b. 16th to 31st – following month
3. Incremental dates remain unchanged after completion of studies

⁴⁴ See Rules 89 and 90, Education Rules, as amended.

⁴⁵ See Rule 88, Education Rules, as amended.

SUMMARY TABLE OF TYPES OF LEAVE ENTILEMENT

TYPE OF LEAVE	PURPOSE	AMOUNT ALLOWED	APPLICATION	NOTES
1. Urgent Personal Affairs (Rule 77)	To deal with urgent personal affairs	5 days per calendar year	EDR 8	Full salary
2. Compassionate (Rule 77, sub-rule 13)	In connection with death	5 days on any one occasion	EDR 8	Full salary
3. Paternity (Rule 77, sub-rule 16-17)	Birth	5 days per school year	EDR 8	Full salary
4. Maternity (Rule 79)	Birth	14 weeks/98 days on any one occasion	EDR 10	Full salary
5a. Sick (Rule 78)	Illness	16 days per calendar year; of this, uncertified leave of up to 6 days are allowed	EDR 9	Full salary
5b. Sick (special)	Extended illness	180	EDR 9	Full salary
5c. Sick (special)	Extended illness	180	EDR 9	Half Salary
6. Vacation (Rule 80)	Vacation	30 days in July 3 weeks Christmas 2 weeks Easter	No application form	Full salary
7. Exemption from call to duties (Rule 80, sub-rule 5)	To be exempted from duties & workshop	1 month (August)	EDR 11	Full salary
8. Long (Rule 81)	Extended vacation after 9 years continuous service	3 months	EDR 12	Full salary
9. Professional Development (Rule 82)	To attend course, conference or seminar connected to professional development	Up to 9 consecutive schools days by managing authority	EDR 13	Full salary
10. Special Leave (Rule 84)	To attend annual training to represent Belize in events connected to civic duties, cultural events	Not more than 2 weeks	EDR 15	Full salary
11. Study Leave (Rule 83)	To undertake program of studies	varies	EDR 14	Salary varies
12. Leave Without Pay (Rule 85)	For special reasons including maternity, sick, study; allows for continuity in service	varies	EDR 16	No salary

**MINISTRY OF EDUCATION
INFORMATION & COMMUNICATION TECHNOLOGY (ICT) POLICY**

5.3.4 Data Protection Principles/Guidelines:

The standards for data protection are based on the following principles:

- 5.3.4.1. Personal data shall be processed fairly and lawfully.
- 5.3.4.2. Personal data shall be obtained only for specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- 5.3.4.3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 5.3.4.4. Personal data shall be accurate and, where necessary, kept up to date.
- 5.3.4.5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
- 5.3.4.6. Personal data shall be processed in accordance with the rights of data subjects under any relevant legislation.
- 5.3.4.7. Appropriate technical and organizational measures shall be taken against unauthorized or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- 5.3.4.8. Personal data shall not be transferred to a country or territory outside Belize unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

5.3.5. Standards for Use of Data:

- 5.3.5.1 Users shall not prevent any other user who is the rightful owner from accessing data.
- 5.3.5.2 All electronic data is the property of the GOB and the user is required to protect this information to the extent reasonably possible for the security and privacy of those involved. The user may disclose the data, provided that the user acts in good faith, in fulfillment of any obligations under any law and in compliance with a written directive from a duly authorized person.
- 5.3.5.3 Users will not view or copy or attempt to view or copy data which has not been made available to them in the normal course of their duties.
- 5.3.5.4 Should the user leave the employ of the GOB, travel outside their authorized work area or become incapacitated for a period of time, all GOB information is to be removed from portable devices immediately.
- 5.3.5.5 Person from whom data is collected shall be informed of the provisions related to the collection, storage and disclosure of such data.

5.5 Network Security:

- 5.5.1 Users shall not disclose a password without authorization.

SCHEDULE 1

(Rule 39)

Staffing Schedule for Ministry of Education and Grant-Aided Schools

Primary Schools

In using this schedule note the following:

1. Staffing is determined by student enrollment.
2. A school with an enrollment of less than thirty students shall not be given a licence to operate save in very exceptional cases.
3. There shall be no one teacher schools.
4. Where one or more grant-aided schools exist in a community, no additional school(s) shall be given grant-aided status unless or until said school(s) reach a minimum enrollment of 240 students.

<i>Enrollment</i>	Staffing		
	Teacher(s)	Principal(s)	Support Staff
15-30	1	1 Teaching Principal	0
45-60	2	1 Teaching Principal	0
75-90	3	1 Teaching Principal	0
105-120	4	1 Teaching Principal	0
135-150	5	1 Teaching Principal	0
165-180	6	1 Teaching Principal	0
195-210	7	1 Teaching Principal	0
225-240	8	1 Administrative Principal	0
255-270	9	1 Administrative Principal	0
285-300	10	1 Administrative Principal	1
315-330	11	1 Administrative Principal	1
345-360	12	1 Administrative Principal + 1 Administrative Vice Principal	1
375-390	13	1 Administrative Principal + 1 Administrative Vice Principal	1
405-420	14	1 Administrative Principal + 1 Administrative Vice Principal	1
435-450	15	1 Administrative Principal + 1 Administrative Vice Principal	1
465-480	16	1 Administrative Principal + 1 Administrative Vice Principal	1
495-510	17	1 Administrative Principal + 1 Administrative Vice Principal	1
525-540	18	1 Administrative Principal + 1 Administrative Vice Principal	1
555-570	19	1 Administrative Principal + 1 Administrative Vice Principal	1
585-600	20	1 Administrative Principal + 1 Administrative Vice Principal	2
615-630	21	1 Administrative Principal + 1 Administrative Vice Principal	2
645-660	22	1 Administrative Principal + 2 Administrative Vice Principal	2
675-690	23	1 Administrative Principal + 2 Administrative Vice Principal	2

705-720	24	1 Administrative Principal + 2 Administrative Vice Principal	2
735-750	25	1 Administrative Principal + 2 Administrative Vice Principal	2
765-780	26	1 Administrative Principal + 2 Administrative Vice Principal	2
795-810	27	1 Administrative Principal + 2 Administrative Vice Principal	2
825-840	28	1 Administrative Principal + 2 Administrative Vice Principal	2
855-870	29	1 Administrative Principal + 2 Administrative Vice Principal	2
885-900	30	1 Administrative Principal + 2 Administrative Vice Principal	3
915-930	31	1 Administrative Principal + 2 Administrative Vice Principal	3
945-960	32	1 Administrative Principal + 3 Administrative Vice Principal	3

N.B. For enrollment above 960, one (1) additional teacher per every thirty (30) students will be allowed.”

SCHEDULE 2
(Rules 56 and 57)

**Framework of Academic/Professional Qualifications
for the Award of a Licence to Teach in Belize**

All Teachers are required to have a Licence to Teach

Category	Minimum Academic/Professional Qualifications	Type of Licence
Early Childhood Education (Pre-School – Standard I)	<ul style="list-style-type: none"> • High School Diploma; or • First Class Teachers Certificate; or • Primary Certificate in Teaching Level 1; or • Other qualification deemed equivalent by the BBTE 	Provisional Licence <i>(valid for 5 years only)</i>
	<ul style="list-style-type: none"> • Associate Degree in Early Childhood Education; or • Associate Degree in Primary Education⁴⁶ • Associate Degree in Primary Education with approved Certification in Early Childhood Education 	Full Licence ⁴⁷ <i>(a minimum of 120 hours of approved CPD must be accrued over a 5-year period to maintain licence)</i>
	<ul style="list-style-type: none"> • Certificate or Diploma in specialized areas (i.e. Expressive Arts, Physical Education, etc.) or other qualification deemed equivalent by the BBTE 	Special Licence <i>(valid for 2 years in the first instance; renewable for 2-year intervals)</i>
Primary Education (Standard II – Standard VI)	<ul style="list-style-type: none"> • High School Diploma; or • First Class Teachers Certificate; or • Primary Certificate in Teaching Level 1; or • Associates or Bachelor’s Degree in subject area; or • Other qualification deemed equivalent by the BBTE 	Provisional Licence <i>(valid for 5 years only)</i>
	<ul style="list-style-type: none"> • 2+1 Primary Certificate in Teaching; or • Primary Certificate in Teaching Level 2; or • Associate Degree in Primary Education; or • Associate Degree + approved Certificate in Primary Education • Associate Degree in Special Education 	Full Licence <i>(a minimum of 120 hours of approved CPD credits must be accrued over a 5-year period to maintain licence)</i>
	<ul style="list-style-type: none"> • Certificate or Diploma in specialized areas (i.e. Expressive Arts, Physical Education, Religious Instruction, etc.) or other qualification deemed equivalent by the BBTE 	Special Licence <i>(valid for 2 years in the first instance; renewable for 2-year intervals)</i>

⁴⁶ In the first instance, teachers at the Early Childhood level (Infant I to Standard I) will be awarded a FULL teaching licence for an AA in Primary Education. To maintain a Full licence at this level, teachers will be required to successfully complete 120 CPD hours in Early Childhood Education or an approved Certificate in an Early Childhood Education Program over a five-year period.

⁴⁷ In the case of demand driven programs in schools or due to other exigencies in the education system, the terms and conditions of employment of persons with a Full Licence in special circumstances may be determined by Ministry policy from time to time.

All Teachers are required to have a Licence to Teach

Category	Minimum Academic/Professional Qualifications	Type of Licence
Secondary Education (Forms 1 – 4)	<ul style="list-style-type: none"> • Associates Degree in subject area • A qualification deemed equivalent by the BBTE 	Provisional Licence <i>(valid for 5 years only)</i>
	<ul style="list-style-type: none"> • Bachelor’s Degree in Secondary Education; or • Bachelor’s Degree in Education in subject areas; or • Bachelor’s Degree in Subject Area + approved Diploma in Education 	Full Licence <i>(a minimum of 120 hours of approved CPD credits must be accrued over a 5-year period to maintain licence)</i>
	<ul style="list-style-type: none"> • Certificate, Diploma or Associates Degree in specialized areas (i.e. Home Economics, Physical Education, Religious Instruction, etc.) 	Special Licence <i>(valid for 2 years in the first instance; renewable for 2-year intervals)</i>
Technical/Vocational Education (NVQs – Levels 1 and 2)	<ul style="list-style-type: none"> • Associate Degree in technical area • A qualification deemed equivalent by the BBTE 	Provisional Licence <i>(valid for 5 years only)</i>
	<ul style="list-style-type: none"> • Associate Degree in Technical Area + approved Diploma in Education and Competency-Based Education Training • Bachelor’s Degree in Secondary Education + Certificate or Diploma in Technical Area 	Full Licence <i>(a minimum of 120 hours of approved CPD credits must be accrued over a 5-year period to maintain licence)</i>
	<ul style="list-style-type: none"> • Certificate or Diploma in technical area or other qualification deemed equivalent by the BBTE • Industry experience in technical area for at least 4-5 years 	Special Licence <i>(valid for 2 years in the first instance; renewable for 2-year intervals)</i>

SCHEDULE 4 – PROCEDURES FOR CONDUCTING APPRAISALS

Rules 71(2c) and 72(6)

There shall be a minimum of two formal appraisals conducted annually for each Teaching or Non-Teaching Principal, Teaching and Non-Teaching Vice-Principal, Head of Department, Teacher and Non-Teaching Staff employed in any school in Belize. Each appraisal exercise shall be carried out with full participation of the individual being appraised.

FORMAL APPRAISALS	FORM	TIME TO COMPLETE	SUBMIT TO COMMISSION
APPRAISAL OF TEACHING PRINCIPALS	EDR 17A	The first appraisal of a Teaching Principal shall be conducted between the third and fifth month of the school’s academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school’s academic calendar.
		The second appraisal of a Teaching Principal shall be conducted between the seventh and ninth month of the school’s academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school’s academic calendar.
APPRAISAL OF NON-TEACHING PRINCIPALS	EDR 17B	The first appraisal of a Non-Teaching Principal shall be conducted between the third and fifth month of the school’s academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school’s academic calendar.
		The second appraisal of a Non-Teaching Principal shall be conducted between the seventh and ninth month of the school’s academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school’s academic calendar.
APPRAISAL OF TEACHING VICE-PRINCIPALS	EDR 18A	The first appraisal of a Teaching Vice-Principal shall be conducted between the third and fifth month of the school’s academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school’s academic calendar.
		The second appraisal of a Teaching Vice-Principal shall be conducted between the seventh and ninth month of the school’s academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school’s academic calendar.
APPRAISAL OF NON-TEACHING VICE-PRINCIPALS	EDR 18B	The first appraisal of a Non-Teaching Vice-Principal shall be conducted between the third and fifth month of the school’s academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school’s academic calendar.
		The second appraisal of a Non-Teaching Vice-Principal shall be conducted between the seventh and ninth month of the school’s academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school’s academic calendar.
APPRAISAL OF HEADS OF DEPARTMENT	EDR 18A	The first appraisal of a Head of Department shall be conducted between the third and fifth month of the school’s academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school’s academic calendar.
		The second appraisal of a Head of Department shall be conducted between the seventh and ninth month of the school’s academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school’s academic calendar.

FORMAL APPRAISALS	FORM	TIME TO COMPLETE	SUBMIT TO COMMISSION
APPRAISAL OF TEACHERS	EDR 18C	The first appraisal of a Teacher shall be conducted between the third and fifth month of the school's academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school's academic calendar.
		The second appraisal of a Teacher shall be conducted between the seventh and ninth month of the school's academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school's academic calendar.
APPRAISALS OF TEACHERS DURING PROBATIONARY PERIOD: 1. All new Teachers in possession of Full Licence to serve probationary period. 2. Such Probationary period may be up to two calendar years 3. Managing Authority may appoint teacher at the end of first probationary year. 4. Clinical and formative supervision of teacher on probation should be conducted on a regular basis during the probationary period.	-----	The first appraisal of a Teacher on Probation shall be conducted between the third and fifth month of the school's academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school's academic calendar.
		The second appraisal of a Teacher Probation shall be conducted between the seventh and ninth month of the school's academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school's academic calendar.
			Formative evaluation reports shall accompany each appraisal report for a Teacher on Probation.
APPRAISAL OF SUPPORT STAFF	EDR 20	The first appraisal of a Support Staff shall be conducted between the third and fifth month of the school's academic calendar.	This first appraisal report shall be submitted no later than the sixth month of the school's academic calendar.
		The second appraisal of a Support Staff shall be conducted between the seventh and ninth month of the school's academic calendar.	This second appraisal report shall be submitted no later than the tenth month of the school's academic calendar.

SCHEDULE 5

(Rule 74)

Application Procedure for Retirement & Resignation

Topic	Step 1 Teacher submits to Managing Authority:	Step 2 Managing Authority submits to the Secretariat:	Step 3 Secretariat prepares:
Resignation	<ul style="list-style-type: none"> • Letter tendering resignation (<i>date of resignation & benefit option should be included</i>) • Social Security Card • Marriage Certificate • Divorce Certificate • Birth Certificate/ Passport <p><i>Note: At least one calendar month's notice is required</i></p>	Letter accepting resignation including the following: <ul style="list-style-type: none"> • Period of service • Allowances received • Leaves taken; and • Salary history for 3 years 	<ul style="list-style-type: none"> • Service Record • Letter requesting benefit (to Treasury)
Early Retirement	<ul style="list-style-type: none"> • Letter requesting early retirement with justification (including date of retirement & benefit option) • Social Security Card • Marriage Certificate • Divorce Certificate • Birth Certificate/ Passport <p><i>Note: application is made one year prior to retirement date</i></p>	Letter endorsing the request including the following: <ul style="list-style-type: none"> • Period of service • Allowances received • Leaves taken; and • Salary history for 3 years 	<ul style="list-style-type: none"> • Service Record • Letter requesting retirement (to Public Service; Treasury)
Retirement Due to Age	<ul style="list-style-type: none"> • Letter requesting retirement (including date of retirement & benefit option) • Social Security Card • Marriage Certificate • Divorce Certificate • Birth Certificate/ Passport <p><i>Note: application is made one year prior to retirement date</i></p>	Letter endorsing the request including the following: <ul style="list-style-type: none"> • Period of service • Allowances received • Leaves taken; and • Salary history for 3 years 	<ul style="list-style-type: none"> • Service Record • Letter requesting retirement (to Public Service; Treasury)
Medical Grounds	<ul style="list-style-type: none"> • Letter requesting retirement • Doctor's recommendation • Social Security Card • Marriage Certificate • Divorce Certificate • Birth Certificate/ Passport 	Letter endorsing the request including the following: <ul style="list-style-type: none"> • Period of service • Allowances received • Leaves taken; and • Salary history for 3 years 	<ul style="list-style-type: none"> • Service Record • Letters requesting retirement/ benefits (to Director of Health; Public Service; Treasury)

SCHEDULE 6
(Rule 92A)

Disciplinary Procedures and Guidelines on Consequences for Minor Offences

The disciplinary processes outlined below provide guidance for a progressive discipline approach and are intended to offer the teacher an opportunity and support to improve his performance. It is therefore critical that Managing Authorities or others designated by them utilize reasonable, good judgment in deciding when to take each next step in the process so as to initially promote teacher improvement rather than being punitive at the outset in sanctioning the teacher for every instance of the offence.

Offence	Repeated tardiness in reporting for duty or unexcused absences
Step 1	Hold informal discussion with teacher bringing the offence(s) to the teacher's attention; arrange appropriate support to prevent future offence if warranted; place note in teacher's p-file recording date, nature and outcome of the discussion. This shall constitute an oral reprimand.
Step 2	Hold informal discussion with teacher bringing the offence to the teacher's attention; arrange appropriate support to prevent future offence if warranted; place in teacher's p-file recording nature date, nature and outcome of the discussion. This shall constitute an oral reprimand.
Step 3	First written reprimand given to the teacher. The written reprimand should specify the offence(s) (the rules/regulations broken), refer to previous oral reprimands, mention any support arranged or offered in the past, explain the next steps in the process if there is a failure to improve on the part of the teacher and state that it is an official reprimand. The written reprimand should be copied to the teacher's p-file.
Step 4	Second written reprimand given to the teacher. The written reprimand should specify the offence(s) (the rules/regulations broken), refer to previous oral and written reprimands, mention any support arranged or offered in the past, explain the next steps in the process if there is a failure to improve on the part of the teacher and state that it is an official reprimand. The written reprimand should be copied to the teacher's p-file.
Step 5	Where the teacher's tardiness still does not improve, review the case history; if warranted, serve the teacher with disciplinary charges for the repeated minor offence which has now become a major offence.
Step 6	Follow rule 93(5)-(13) disciplinary proceedings for major offences.
Offence	Campaigning actively in school for or against any political party or candidate in any national or municipal election
Step 1	Hold informal discussion with teacher bringing the offence to the teacher's attention; arrange appropriate support to prevent future offence if warranted; place in teacher's p-file recording date, nature and outcome of the discussion. This shall constitute an oral reprimand.
Step 2	First written reprimand given to the teacher. The written reprimand should specify the offence (the rules/regulations broken), refer to previous oral reprimands, mention any support arranged or offered in the past, explain the next steps in the process if there is a failure to improve on the part of the teacher and state that it is an official reprimand. The written reprimand should be copied to the teacher's p-file.
Step 3	Where the teacher fails to correct the misconduct, review the case history; if warranted, serve the teacher with disciplinary charges for the repeated minor offence which has now become a major offence.
Step 4	Follow rule 93(5)-(13) disciplinary proceedings for major offences.
Offence	Failure to do lesson plans, failure to submit grade reports, failure to maintain student records, repeated neglect of duties, or failure to participate in professional development workshops, seminars, or programmes as required
Step 1	Hold informal discussion with teacher bringing the offence to the teacher's attention; arrange appropriate support to prevent future offence if warranted; place in teacher's p-file recording date, nature and outcome of the discussion. This shall constitute an oral reprimand.
Step 2	First written reprimand given to the teacher. The written reprimand should specify the offence

	(the rules/regulations broken), refer to previous oral reprimands, mention any support arranged or offered in the past, explain the next steps in the process if there is a failure to improve on the part of the teacher and state that it is an official reprimand. The written reprimand should be copied to the teacher's p-file.
Step 3	Where the teacher fails to correct the misconduct, review the case history; if warranted, serve the teacher with disciplinary charges for the repeated minor offence which has now become a major offence.
Step 4	Follow rule 93(5)-(13) disciplinary proceedings for major offences.
Offence	Use of school property or facilities without permission
Step 1	Hold informal discussion with teacher bringing the offence to the teacher's attention; arrange appropriate support to prevent future offence if warranted; place in teacher's p-file recording date, nature and outcome of the discussion. This shall constitute an oral reprimand.
Step 2	First written reprimand given to the teacher. The written reprimand should specify the offence (the rules/regulations broken), refer to previous oral reprimands, mention any support arranged or offered in the past, explain the next steps in the process if there is a failure to improve on the part of the teacher and state that it is an official reprimand. The written reprimand should be copied to the teacher's p-file.
Step 3	Where the teacher fails to correct the misconduct, review the case history; if warranted, serve the teacher with disciplinary charges for the repeated minor offence which has now become a major offence.
Step 4	Follow rule 93(5)-(13) disciplinary proceedings for major offences.



OATH OF OFFICE OF MEMBERS OF THE TEACHING SERVICE COMMISSION

I, _____, having been appointed a member of the Teaching Service Commission solemnly and sincerely affirm that I will freely and without fear or favour, affection, or ill will give counsel and advice in connection with all such matters as may be referred to the Teaching Service Commission, and that I will not directly or indirectly reveal any such matters to any unauthorized persons or otherwise than in the course of duty. So help me God.

Signature

Sworn before me this _____ day of _____, 2010