

*Statutory Instrument No. 115 of 1993*

EDUCATION ACT  
(Cap 58:01)

COLLEGES OF EDUCATION REGULATIONS, 1993  
(Published on 26th November, 1993)

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IN EXERCISE of the powers conferred by section 30 of the Education Act, the Minister of Education hereby makes the following Regulations:—

PART I — *Preliminary*

Citation  
and  
application

1. These Regulations may be cited as the Colleges of Education Regulations, 1993, and shall apply to both teacher training colleges and colleges of education, except as may be otherwise provided.

Interpretation

2. In these Regulations, unless the context otherwise requires —  
“admitted” means allocated to a class or a boarding and lodging area;  
“Board of Affiliation” means the Primary Teacher Training Board of Affiliated Institutions of the University of Botswana or the Colleges of Education Board of Affiliated Institutions of the University of Botswana, as appropriate;  
“college” means a teacher training college or a college of education, unless otherwise specified;  
“college days” means the days during each college term on which students are required to attend instruction;  
“enrolled” means being permitted to take up studies at a college;  
“exclude” means being denied the right to stay in a boarding area, or being denied the right to attend instruction in any particular area;  
“expel” means being required to terminate studies at a college and being excluded from the course in which the student is enrolled;  
“guardian” means any parent or close relative, not being a minor, or any other similar person, who is willing to support the student both morally and financially during his studies, or where the student is a minor, means the student’s legal guardian;  
“hostel” means any part of a college used as lodgings by the students of that college;  
“leave” means a period of time when a student is permitted temporarily to be absent from his studies or accommodation in a hostel;  
“passed” means awarded a pass grade or better by an examining body recognized by the Ministry of Education;  
“principal” means the principal of a college;  
“suspend” means to be denied for a limited period the right to attend classes, to take exams or to stay in a boarding area;  
“withdraw” means to terminate studies at a college.

PART II — *Enrolment at Colleges and Admission to Hostels*

Applications  
for enrolment  
at colleges

3. (1) Any application for the enrolment of a student at a college, or for the admission of a student to a hostel, shall be made by the applicant in writing to the principal of the college.

(2) The applicant shall furnish the principal with such information and evidence as may be required for the consideration of the application.

(3) Any application for re-enrolment at a college, or for re-admission to a hostel, by a student who has ceased to be so enrolled or admitted, as the case may be, shall be made by the student in writing to the principal, and if granted such re-enrolment or re-admission shall be subject to such conditions as the Permanent Secretary may generally, or in any specific case, direct.

(4) Any person who, in his application, or for the purpose of procuring his enrolment at a college or his admission to a hostel, knowingly makes a false statement, oral or in writing, which is material to such application, shall be refused such enrolment or admission, or shall have such enrolment or admission cancelled, and shall be guilty of an offence and liable to a fine of P200.

4. (1) The principal shall consider every application for the enrolment or re-enrolment of a person at a college or for the admission or re-admission of a person to a hostel, as the case may be, and shall, subject to the provisions of these Regulations and of any other written law, and to any conditions which may be imposed by the Permanent Secretary, determine whether or not the person concerned shall be enrolled or re-enrolled, or admitted or re-admitted, as the case may be, and shall inform the applicant of his decision, in writing, as soon as is reasonably possible.

Determination  
of application

(2) No student may be enrolled, re-enrolled, admitted or re-admitted into a college or hostel unless or until he has been medically examined and certified fit by an approved medical practitioner.

(3) No applicant shall be enrolled as a student of a college unless the principal of the college is satisfied that the applicant, is, or will be on the 1st January of his first anticipated academic year at the college, at least 18 years but not more than 35 years of age.

5. (1) An applicant shall not be enrolled at a college as student in the first year unless he satisfies the entrance qualifications as laid down by the Ministry of Education, and such further entry requirements as the Permanent Secretary may, generally or in any specific case, impose.

Standard of  
education for  
enrolment

(2) Every applicant may be required to pass a common entrance examination and attend a personal interview before being enrolled.

6. (1) A person shall not be enrolled at a college unless a vacancy exists in the class he should enter if he were so enrolled, and a student shall not be admitted to a hostel unless a suitable vacancy for him exists in such hostel.

Restriction  
on enrolment  
or admission

(2) A person shall not be enrolled at a college or admitted to a hostel unless he is a citizen of Botswana, or has obtained special permission from the Permanent Secretary.

(3) A student shall not be admitted to a hostel unless he attends or is enrolled to attend the college to which such hostel is attached, and every student enrolled in a college may be required to stay in such a hostel, unless the Permanent Secretary, at his discretion, permits him to attend classes as a day student.

(4) A student shall not be deemed to be enrolled in a college before he has signed a bonding certificate, subject to such conditions as the Permanent Secretary may determine, and his guardian has agreed.

(5) A person who has at any time been expelled from any college shall not be allowed to seek re-admission or admission to any other college without the prior permission of the Permanent Secretary.

7. (1) Any student who has been enrolled at a college or admitted to a hostel shall ensure that he presents himself at the college or hostel on the first day of the college term, or in the case of enrolment or admission during the course of the college term, on such day as the principal may specify.

Presentation  
at college  
etc.

(2) Any student who does not report to the college at which he has been enrolled within the first ten college days of the term may be removed by the principal from the list of students to be enrolled in the college.

Continuation  
in classes

8. No student at a college shall be permitted to spend more than one year in the same class except with the approval of the Permanent Secretary, which approval shall only be granted for the following reasons —

- (a) the student has failed to pass an examination for students in that class, and such failure was due to the student's ill-health, unavoidable absence from the examination, or such other cause as the Permanent Secretary considers justifiable;
- (b) the principal of the college is satisfied that if that student spends an additional year in the class no student in a lower class will be prevented from progressing to the class in question;
- (c) the principal is satisfied that if the student is permitted to spend an additional period in the class in question he is likely to succeed in passing the examination for students in that class.

Transfers  
between  
colleges

9. (1) No student shall transfer from a college at which he enrolled to another college unless the principal of the colleges at which the student is enrolled is satisfied that there are reasonable grounds for the transfer and gives permission therefor.

(2) Where a student is permitted to transfer from the colleges at which he is enrolled the principal thereof shall give to the student a letter of transfer, stating the grounds of the transfer and giving evidence of the progress and ability of the student, which letter shall be presented by the student to the principal of the college to which he is transferring, together with his application for enrolment.

(3) A student who transfers from a college at which he is enrolled to another college without permission shall be liable to forfeit his place at both colleges unless the Permanent Secretary directs otherwise.

Special  
directions  
by Permanent  
Secretary

10. Notwithstanding anything contained in this Part, the Permanent Secretary may, subject to the approval of the Minister, give to the principal of a college such directions as he may consider necessary in respect of —

- (a) the enrolment at the college, or the admission to a class or hostel of particular students or a particular student; or
- (b) the transfer between colleges or hostels of particular students or a particular student.

Fees

11. Fees may be charged for education at a college at such rate as may be prescribed by the Minister.

### PART III — *College Calendar and Syllabuses*

Academic  
year

12. (1) The academic year in every college shall consist of year three college terms.

(2) The Permanent Secretary shall prepare an annual college calendar to determine the period of college terms and the days during each college term on which students shall be required to attend college or instruction.

(3) The college calendar prepared by the Permanent Secretary shall be so arranged as to ensure that the number of college days in the academic year to which it relates is at least 185 days.

(4) The college calendar prepared in accordance with this regulation shall be observed at all colleges except to such extent as the Permanent Secretary, may, either generally or in any particular case, authorize, and no departure from the calendar shall be made except with the prior approval of the Permanent Secretary.

(5) There shall be no formal class teaching on any public holiday appointed by or under the Public Holiday Act, except to such extent as the Permanent Secretary may authorize.

13. (1) Every college shall provide instruction in such subjects as the Permanent Secretary shall, in consultation with the Board of Affiliation and the National Council for Teacher Education, specify for the purpose of this regulation, either generally or in respect of a particular college or group of colleges.

Curricula  
and  
syllabuses

(2) A college shall not provide instruction in a subject that has not been specified by the Permanent Secretary under subregulation (1) unless the Permanent Secretary has, in consultation with the Board of Affiliation and the National Council for Teacher Education, authorized the college to do so.

(3) The syllabus to be followed in respect of each subject in which instruction is provided by a college shall be a syllabus approved by the Permanent Secretary in consultation with the Board of Affiliation and the National Council for Teacher Education.

(4) The granting of the qualification as a teacher shall be by the Board of Affiliation.

#### PART IV — *Suspension, Expulsion and Withdrawal of Students*

14. A student shall not be suspended, expelled, excluded or required to withdraw from any college or hostel except in accordance with the provisions of this Part.

Restriction  
on expulsion  
etc.

15. (1) Subject to the provisions of subregulation (3), the principal may suspend from attendance at a college —

Conditions of  
suspension or  
exclusion

(a) any student whose conduct and behaviour is habitually or continually such as is likely, in the opinion of the principal, to endanger the maintenance of a proper standard of discipline or conduct in the college;

(b) any student who has committed an act of a gravely reprehensible nature;

(c) any student who fails to attend classes regularly without reasonable excuse; or

(d) any student who incites, promotes or participates in any strike, boycott or other act of serious indiscipline which, in the opinion of the principal, is prejudicial to the maintenance of a proper standard of conduct in the college.

(2) Subject to the provisions of subregulation (3), the principal may exclude from any hostel attached to the college any student whose presence thereat is, in his opinion, prejudicial to the maintenance of discipline in the hostel.

(3) Where any student is suspended from attendance at a college or excluded from a hostel under this regulation, the principal shall —

(a) inform the student, and if he is a minor his guardian, in writing of the complaint against him and of the action the principal has taken; and

(b) send a full report of the facts of the case and the action taken, and a copy of all the correspondence relating thereto, to the Permanent Secretary.

(4) A student may be suspended in accordance with this regulation for a period of up to 30 college days without the prior consent of the Permanent Secretary, but a suspension shall not exceed 30 college days unless the approval of the Permanent Secretary has been received.

(5) A student may be suspended under this regulation with a recommendation by the principal that he be expelled, but a student may only be expelled from a college when such expulsion is approved by the Permanent Secretary.

Right to make representations

16. (1) A student, or if he is a minor his guardian, shall be entitled to make representations to the Permanent Secretary if the student —

- (a) has been excluded from a hostel;
- (b) has been withdrawn from the college due to lack of academic ability, ill health or continued or frequent absence;
- (c) has been suspended; or
- (d) has been expelled.

(2) Representations to the Permanent Secretary under subregulation (1) must be made, in writing, within 21 calendar days after the date when the decision taken against him, or when any further action taken by the Permanent Secretary, was communicated to the student, or, if the student is a minor, to his guardian.

Powers of the Permanent Secretary

17. (1) After considering any representations made to him in accordance with the provisions of regulation 16, the Permanent Secretary may, subject to the approval of, and such directions as may be given by, the Minister —

- (a) confirm the decision giving rise to the representations;
- (b) cancel the decision, in whole or in part; or
- (c) amend the decision, or give such other directions as may appear just in the circumstances.

(2) Any decision made or directions given by the Permanent Secretary in accordance with the provisions of subregulation (1), may be made or given subject to such conditions as the Permanent Secretary may determine, and if any such condition is not complied with to the satisfaction of the Permanent Secretary he may exercise any of the other powers conferred on him by subregulation (1) in relation to the matter in issue, as in his opinion appears just in the circumstances.

(3) The exercise by the Permanent Secretary of the powers conferred on him by this section shall, subject to the Minister's approval or directions, be final.

Withdrawal from college

18. (1) (a) Where a principal is satisfied that there are good grounds for requiring a student to withdraw from a college on account of his lack of academic ability, ill health or continued or frequent absence, he may make a recommendation to this effect to the Permanent Secretary.

(b) The principal shall not require the student to withdraw from the college under this subregulation unless or until he is authorized by the Permanent Secretary to do so.

(2) A student who has not attended classes at the college at which he is enrolled for as many as thirty consecutive college days, or a total of sixty days in any one academic year, shall be required to withdraw from such college unless the principal is satisfied that there are reasonable grounds for such non-attendance, or unless the Permanent Secretary otherwise directs.

(3) Any student who has not attended classes at the college at which he is enrolled for two consecutive college days, by reason of any strike, boycott or any act of serious indiscipline, shall be deemed to be withdrawn forthwith from such college, unless the Permanent Secretary otherwise directs.

19. (1) If a student at a college discovers herself to be pregnant, she shall immediately inform the principal of the college of such pregnancy and as soon thereafter as possible produce to him a medical certificate from a registered medical practitioner giving his opinion as to the approximate date of delivery.

(2) If at any time a principal has reason to believe that a student at the college may be pregnant, he may require the student to produce a medical certificate from a registered medical practitioner certifying whether or not, in his opinion the student is pregnant, and if so the approximate date of delivery, and failing production of such medical certificate within seven days immediately after the requirement is made, the principal may presume that the student is pregnant and act accordingly.

(3) The principal shall, after consultation with the pregnant student or, if the student is a minor, her guardian, plan a pregnancy leave of not less than one year, taking into account the following factors in determining the starting date of the leave and the return date of the student back into college —

- (a) the information obtained from any medical certificate produced;
- (b) the general health of the student;
- (c) the academic ability of the student;
- (d) any requirements for certification prescribed in regulations of the Board of Affiliation;
- (e) that pregnancy leave may not start less than 6 weeks before the expected date of delivery;
- (f) any reasonable request by the student or, if the student is a minor, by her guardian; and
- (g) any other factor deemed likely to have a substantial impact on the medical fitness or welfare of the student or expected child.

(5) Notwithstanding anything contained in subregulations (1) to (4), the principal may at any time —

- (a) require the student to produce a certificate of medical fitness from a registered medical practitioner;
- (b) reconsider the plan for pregnancy leave and, if necessary, take steps to amend it; or
- (c) suspend the student from college, if the student or her guardian omits or fails to fulfil any of the requirements of this regulation.

(6) The principal shall obtain approval of the plan from the student and her guardian, and the student shall be required to abide by the plan, and the student or, if the student is a minor, the guardian shall indemnify the Government against any liability arising out of the student's continued stay at the college during her pregnancy.

(7) Notwithstanding anything contained in this regulation, the principal shall not readmit a student to the college after completion of her pregnancy leave unless a vacancy exists in the class in which she would be re-admitted.

(8) Any student who becomes pregnant for a second time and requires a second pregnancy leave whilst still enrolled at a college, may be granted such leave provided that it is taken or occurs not less than two years after the end of her first pregnancy leave, and that she has been able to progress to the next grade or year, but in any other case such student shall be withdrawn permanently from the college.

(9) Any student whose pregnancy ceases whilst she is still enrolled at a college shall not be allowed to re-attend studies at the college or resume her stay in a hostel unless or until she has been certified fit by a registered medical practitioner.

Taking of  
examinations

20. (1) A student shall not be permitted to sit for any examination at a college during any period when he or she is suspended or expelled from the college, or is on pregnancy leave in accordance with the provisions of regulation 19, unless the Permanent Secretary has authorized the taking of such examination.

(2) A student who has not attended classes at the college at which he is enrolled for as many as thirty consecutive college days, or a total of sixty college days in any one academic year, shall not be permitted to sit for any examination during such year unless the Permanent Secretary directs otherwise.

Breaking  
of bond

21. A student who breaks his course of study without such cause as is, in the opinion of the Permanent Secretary, reasonable and acceptable, shall be required to refund to the Government, in terms of the conditions of his bond, such sum as may be determined by the Permanent Secretary, subject to the approval of the Minister.

#### PART V — *Safeguards for Health of Students*

Health of  
students

22. (1) If a student, while present at a college, becomes ill or sustains an injury, and in the opinion of the principal such illness or injury is serious, the principal shall take every reasonable step to inform the student's guardian thereof as soon as possible.

(2) If on admission to a college a student appears to be medically unfit, the principal may require that the student should produce a medical certificate of fitness issued by a registered medical practitioner within 7 days, failing which he may suspend the student from the college for such period as he may stipulate, or until the student produces such a certificate of fitness.

(3) If a student is discovered to be suffering from an infectious or contagious disease, the principal may require that he withdraws from the college forthwith, and may be allowed to return only on production of a certificate issued by a registered medical practitioner certifying that the student is no longer suffering from an infectious or contagious disease.

(4) If three or more cases of an infectious or contagious disease are found in a college at any one time, the principal shall report the fact as soon as possible to the Permanent Secretary and to a Government medical officer, who may take such action as the situation requires.

(5) The principal may arrange for a student accommodated in a hostel who becomes ill, to be isolated during the period of his illness.

(6) A student accommodated in a hostel shall not be permitted to remain ill in bed for more than 2 days without medical attention from a registered medical practitioner or nurse.

(7) If a student accommodated in a hostel repeatedly refuses or avoids medical treatment, the principal shall as soon as possible report the matter to his guardian and the Permanent Secretary.

(8) It shall be the responsibility of the principal of a college to ensure that any student accommodated at the college hostel who needs medical treatment receives it, at his own expense or that of his guardian, so long as that student remains under the control of the college.

(9) If a student is not accommodated at a hostel, it shall be the responsibility of the student or his guardian to ensure that the student, when ill, receives appropriate medical attention.

(10) If a principal has reason to believe that a student is ill, and the college is not able, in the opinion of the principal, to provide reasonable or adequate care for him, the principal may require the guardian to withdraw the student from the hostel on leave, and the student's return to the hostel may be made conditional on his producing a medical certificate of fitness from a registered medical practitioner.

#### PART VI— *General*

23. The number of teachers which should normally be employed in a college shall be determined by multiplying the number of classes in the college by a factor of 2.25. Number of teachers

24. (1) All colleges shall be subject to supervision and inspection by inspectors from the Ministry of Education. Inspection of colleges

(2) A college shall be subject to a full scale self-study and related visit by an inspector at least once every three years, or as may more frequently be determined, in respect of any particular college, by the Permanent Secretary.

(3) Such a full scale self-study by inspectors shall comprise or be in respect of —

(a) the general and detailed organization and administration of the college by the principal, or whoever may be acting in his place;

(b) the organization and teaching of each subject throughout the college;

(c) the competence of each teacher in the college; and

(d) the arrangement and composition of the curriculum.

(4) The inspectors appointed by the Ministry of Education to inspect a college shall, after carrying out their inspection, prepare a detailed report thereon and shall submit it to the Permanent Secretary for his consideration, and such further action as he may deem necessary or desirable.

(5) The principal of the college inspected shall be given a copy of those parts of the inspector's report which, in the opinion of the Permanent Secretary, require the principal's attention.

25. (1) The principal of every college shall submit to the Permanent Secretary statistical returns and records in accordance with the provisions of this regulation. Statistical returns

(2) On or before the fifteenth college day of the first term in each year, the principal shall send by registered post to the Permanent Secretary the college enrolment form, giving the number of students, and a list of the teaching staff.

(3) On or before the first college day in April of each year, the principal shall send by registered post to the Permanent Secretary the college annual return.

(4) On or before the fifteenth day after the end of the second and third terms in each year, the principal shall send by registered post to the Permanent Secretary a terminal return.

(5) All records and returns required in terms of this regulation shall be submitted on official forms which shall be drawn up and supplied to principals by the Permanent Secretary.

(6) Every principal shall submit to the Permanent Secretary such other statistical information as he may, from time to time, require.

Responsibilities  
and duties of  
principals

**26.** Subject to the provisions of these Regulations, the principal of a college shall —

- (a) be generally responsible for the development and good management of the college as an educational institution, and for all aspects of its organization, and, for the better discharge of such responsibilities, he shall have power to enforce the college rules by all reasonable means and to exercise control and supervision over other staff members;
- (b) be responsible for the day to day administration of the college;
- (c) prepare a prospectus relating to the practical arrangements of the college for each academic year, setting out, inter alia, the dates on which the terms shall begin and end, the requirements from students in respect of any fees payable, and any other information which he considers necessary or desirable, which prospectus shall, after approval by the Permanent Secretary, be despatched to the persons or candidates selected for enrolment in the college;
- (d) compile and maintain a code of college rules on the subjects of hygiene, deportment, discipline and dress;
- (e) furnish each student or, if the student is a minor, his guardian with a copy of college rules before the student enters the college;
- (f) furnish each student or, if the student is a minor, his guardian, with a report on the progress of the student at least twice a year;
- (g) compile an annual report on the progress of the college at the end of each academic year and submit it to the Permanent Secretary;
- (h) call regular meetings of members of the college staff in order to discuss with them internal college affairs, and keep minutes of such meetings; and
- (i) be responsible for the day-to-day expenditure of the college, cause proper books of account to be kept of all monies received by him for the college, whether public monies or not, and furnish such financial information relating to the college as may be required by the Permanent Secretary; and
- (j) from time to time furnish the Permanent Secretary with information with regard to, and recommendations for the efficient running and development of, the college administration and programmes.

Transport  
and travel

**27.** (1) Before students travel for the purpose of school sports, teaching practice or other extramural activity of students, by any form of road transport within Botswana, the principal shall ensure that the Government of Botswana is indemnified in respect of any loss and injury to such students or their luggage, and the principal shall take all reasonable precautions to ensure that the trip and transport is organized in a safe and satisfactory manner.

(2) Before students travel in an organized group to a place outside Botswana, the principal shall obtain, where it is practicable to do so, the permission of the parents or of the guardians of such students and of the Permanent Secretary, at least thirty days before the expected date of departure of the group on the proposed journey or tour, and in so doing shall —

- (a) state the purpose of the journey or tour;
- (b) indicate the mode of travel and places where the students will be accommodated;
- (c) provide the Permanent Secretary with a list of names of all the students who will be travelling;

- (d) submit the itinerary for the journey or tour;
- (e) give the names of the teachers who will be accompanying the students on the journey or tour; and
- (f) state the citizenship and passport number of each of the persons who will be travelling.

(3) The principal shall ensure that before any journey outside Botswana is commenced, the students and any Government vehicle concerned are sufficiently insured against death, injury and material damage.

28. The Teacher Training Colleges Regulations are hereby revoked.

Revocation  
Cap. 58:01  
Sub.leg

MADE this 16th day of November, 1993.

R.M. MOLOMO,  
*Minister of Education.*

*L217187 XXV*