

**A LAW TO ESTABLISH THE SCHOOLS MANAGEMENT
BOARDS AND SCHOOLS BASED MANAGEMENT COMMITTEES
IN KADUNA STATE, 2017**



Kaduna State of Nigeria

Law No.12..... 2017

(30th June 2017)

Date of Commencement

BE IT ENACTED by the House of Assembly of Kaduna State as follows:

Enactment

**PART I
PRELIMINARY**

1. This Law may be cited as the Kaduna State Schools Management Boards Law, 2017.

Short Title

2. This Law shall come into operation on the30th..... day ofJune..... 2017.

Commencement

3. In this Law, unless the context otherwise requires:

Interpretation

“Board” means the Boards established for each of the Schools listed in the Schedule to this law;

“Chairman” means the Chairman of a Management Board or Management Committee;

“Commissioner” means the Commissioner charged with responsibilities for education;

“Committee” means the School based Management Committee;

"Governor" means the Governor of Kaduna State;

"Member of Staff" means a member of staff of each school both academic and non-academic, including the Principal and Headmaster or Headmistress;

"Regulations" means the Regulations governing the administration of a school made by the Commissioner in pursuance of this law;

"School" means any primary or post primary school in the State for which a Management Board or Management Committee has been constituted;

"State" means Kaduna State of Nigeria;

"Term" means an academic period within the school calendar year;

PART II ESTABLISHMENT, STRUCTURE AND FUNCTIONS OF THE BOARD

4. (1) There is established, a Management Board for each of the Schools listed in the Schedule to this Law.
- (2) The Board shall comprise of:
- (a) a Chairman;
 - (b) the Principal of the School;
 - (c) two leaders to be appointed from the community in which the School is located;
 - (d) the Chairman of the Local Government where the School is located or his representative;
 - (e) an elected representative of the academic staff of the School;
 - (f) two representatives of the old students association of the School;

Establishment of the Board

- (g) The Chairman of the Parents Teachers Association of the school;
- (h) Representative of the Ministry of Education, Science and Technology;
- (i) the Vice Principal (Administration) of the School, who shall serve as the Secretary to the Board;
- (j) the School Based Management Committee Chairman, where the school has a junior and senior section,
- (k) Two other members, to be appointed from the community where the school is located, at least one of whom shall be a woman; and

(3) The Chairman and other members shall be appointed by the Governor on the recommendation of the Commissioner.

5. The Board shall, subject to the guidelines issued by the Commissioner, be responsible for the: Functions of the Board

- (a) general welfare of all Staff and Students;
- (b) monitoring the execution of capital projects;
- (c) implementation of Government Policies on Education;
- (d) promotion of communal participation in running the school by sharing relevant information of school activities with parents and other members of the community;
- (e) preparation of annual budgets for submission to the Commissioner;
- (f) monitoring budgetary expenditure of the school;
- (g) sourcing for funds and donations for the school;
- (h) monitoring the performance and progress of the students;

- (i) recommending disciplinary measures on members of staff;
- (j) monitoring of the yearly action plan and ensuring its implementation in accordance with the School Development Plan;
- (k) promotion of sporting and cultural activities; and
- (l) carry out such other duties or functions as may be assigned to it by the Commissioner.

6. The Board shall constitute the Academic Committee, Finance and General Purpose Committee and the Management Committee for the School. Committees

7. The Academic Committee shall comprise of:

- (a) the Principal of the School as Chairman;
- (b) all heads of academic departments;
- (d) the school examination officer;
- (e) the school librarian;
- (f) two members elected by the academic staff to serve for a period of two years; and
- (g) a representative of the Ministry of Education, Science and Technology appointed by the Commissioner to serve in an advisory capacity.
- (h) the Vice Principal (Academics) of the School as Secretary;

8. (1) The Finance and General Purposes Committee shall comprise of: Finance and General Purpose Committees

- (a) the Chairman of the Board as Chairman;
- (b) the Principal of the school;

- (c) a representative of the Ministry of Education, Science and Technology;
 - (d) one member of the Board, to be nominated by the Board;
 - (e) representative of the Academic Committee;
 - (f) the School Bursar; and
 - (g) the Vice Principal (Administration) of the school as Secretary.
- (2) Subject to the direction of the Board, the Finance and General Purposes Committee shall:
- (a) exercise control over the revenue and expenditure of the school;
 - (b) prepare a five (5) yearly School Development Plan divided into yearly action plans for the school; and
 - (c) perform such other functions as may be directed by the Board.
9. The Management Committee shall comprise of the following principal officers of the school: Management Committee
- (a) The Principal as Chairman;
 - (b) The Vice Principals (Academic and Administration);
 - (c) The Bursar;
 - (d) The Librarian;
 - (e) The Maintenance Officer; and
 - (f) The Heads of Academic Departments.
10. The Management Committee shall be responsible for preparing annual school self-evaluation report to be submitted to the Board.

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| 11. | The Principal shall be the Administrative Head of the School, and shall be responsible to the Board in the discharge of his duties. | The Principal |
| 12. | (a) The Vice Principal Administration shall, in addition to the duties assigned to him under the provisions of this law, be in charge of security and transportation, and be responsible to the Principal in the discharge of his duties. | The Vice Principal Administration |
| | (b) The Vice Principal Academics shall, in addition to the duties assigned to him under the provisions of this law, be in charge of registration of students and be responsible with the Principal in the discharge of his duties. | The Vice Principal Academics |
| 13. | The Librarian shall be responsible to the Principal for the administration of the School Library and co-ordination of Library Services in the School. | The Librarian |
| 14. | The Maintenance Officer shall be responsible to the principal and in charge of: | Maintenance Officer |
| | (a) General maintenance of the school buildings, minor works, sporting equipment and supervision of school projects; and | |
| | (b) Reporting cases of land encroachment or boundary disputes between the school and host communities. | |
| 15. | The Heads of Academic Departments shall be responsible for the organization, development and efficient running of their respective departments. | Heads of Academic Departments |

**PART III
FINANCIAL PROVISIONS**

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| 16. | (1) The Board shall establish and maintain a fund into which shall be credited all funds accruing to it and from which shall be defrayed all expenditure authorized by it. | Power to Receive and Apply Funds |
| | (2) The fund shall comprise of: | |

- (a) funds appropriated to the school by the State House of Assembly;
 - (b) all monies accruing to the school from any other source approved by the Commissioner;
 - (c) Grants, gifts and donations from individuals, local and international organizations and agencies
17. (1) The Board shall keep proper accounts and records of its income and expenditure and shall prepare in each financial year, statements of accounts in accordance with the State Financial Regulations. Accounts
- (2) The accounts of the Board shall be audited annually by an auditor appointed from a list approved by the Auditor-General of the State.
- (3) The Board shall at the end of each financial year:
- (a) prepare a general report of its activities during the year;
 - (b) transmit the said report together with a certified true copy of the Auditor-General's comment thereon to the Commissioner;
 - (c) the Commissioner shall submit to the Governor copies of the report, together with certified true copies of the Audited Accounts and the Auditor-General's comments.

**PART IV
GENERAL PROVISIONS**

18. (1) A member other than an ex-officio member may at any time resign his membership by sending a notice of resignation in writing to the Governor. Audit
- (2) If the Governor is satisfied that a member:

(a) has been absent from three consecutive meetings of the Board without the permission of the Chairman;

(b) is physically or mentally incapacitated; or

(c) is otherwise unable or unfit to discharge his functions as a member;

he may declare his office vacant after receiving a written notification of this fact, and the member shall cease to hold such office.

(d) is found to be bankrupt or convicted on an offence which disqualifies him to be a member

19. (1) The Board shall hold meetings at least twice in a term or as may be necessary for the due discharge of its functions.

Vacation of Office by
Members

(2) At a meeting of the Board:

Meetings and
Proceedings of the Board

(a) the Chairman shall preside.

(b) where the Chairman is not present, or the office of the Chairman is vacant, the members present shall choose one member from among themselves to be the Chairman of the meeting.

(3) Every question at a meeting of the Board shall be determined by a majority of the votes of the members present, and in the event of a tie, the Chairman shall have a casting vote.

(4) Two-third of the members may by notice in writing signed by them, request the Chairman to call an emergency meeting and the Chairman shall be obliged to call such a meeting.

20. The quorum at any meeting of the Board shall be a simple majority of the members of the Board.

Quorum

21 The Board shall have a common seal:

Seal of the Board

- (1) The seal of the Board shall be authenticated by the signature of the Chairman or some other members authorized by the Board to act in that behalf and the signature of the Secretary of the Board.
- (2) Judicial notice shall be taken of the seal of the Board and any document purporting to be an instrument made by the Board shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is shown.

22. Subject to the provisions of this Law, the Board may make standing orders for the purpose of regulating proceedings at its meetings.

Standing Orders

PART V
ESTABLISHMENT, COMPOSITION AND FUNCTIONS
OF THE SCHOOL BASED MANAGEMENT COMMITTEE

23. (1) There shall be for each Secondary School not listed in the Schedule to this law a School Based Management Committee whose composition shall be as follows:

Establishment of School Based Management Committee

- (a) a Chairman;
- (b) a representative of the traditional Institution;
- (c) one representative each from Muslim and Christian community in which the School is located;
- (d) a representative of the Chairman of the Local Government Area where the school is located;
- (e) Chairman of the Parents Teachers Association of the school;
- (f) President of the Old Students Association or his representative;
- (g) the Principal of the school;

- (h) two representatives of the community where the School is located, at least one of shall be woman ;
- (i) two representatives of the Academic Staff to be elected by the staff, one of whom shall be a woman; and
- (j) the Vice Principal (Administration) as the Secretary; and
- (k) representative of a non-governmental organisation or development partner active in education.

(2) Appointments pursuant to paragraph (a), (b) and (i) shall be made by the Governor on the recommendation of the Commissioner.

24. The functions of the School Based Management Committee shall be to:

Functions of the School Based Management Committee

- (a) monitor the implementation of Government policies on education in the school;
- (b) hold meetings at least twice a term with a view to assessing the overall administration of the school as it affects academic performance and general well being of the students and advise where necessary;
- (c) ensure the promotion and encouragement of communal participation in the running of the School;
- (d) assist in the provision of security for the staff, students, buildings and equipment in the School;
- (e) report to Government cases of land encroachment, or boundary disputes between the school and members of the host community;
- (f) propose an annual budget for the school taking into account the revenue available to it;
- (g) monitor the maintenance of structures, machines, equipment and sporting facilities;

- (h) promotion of sport and Cultural activities;
- (i) advise on the discipline of staff and students;
- (j) prepare a five (5) year School Development Plan divided into yearly action plans for the school and ensure its implementation;
- (k) sourcing for funds and donations for the school;
- (l) monitoring teacher attendance; and
- (m) carry out such other functions as may be assigned to it by the Commissioner.

25. Subject to the provisions of this Law, the Commissioner may issue such Regulations to any of the School Based Management Committees or a Board in the exercise of its functions under this Law. Power to Issue Regulations

26. (1) The Committee may; Power to Receive and Apply Funds

- (a) receive funds appropriated to it by the State House of Assembly;
- (b) receive all other monies accruing to it from any other source approved by the Commissioner; and
- (c) prepare an annual school evaluation report to be submitted to the Commissioner.

(2) The Committee shall keep proper accounts and records of its income and expenditure and shall prepare in each financial year, statements of accounts in accordance with the Financial Regulations. Duty to Keep Record

(3) The accounts of the Committee shall be audited by an Auditor appointed from a list approved by the Auditor-General of the State Audit

(4) The Committee shall at the end of the financial year transmit the said report together with a Certified True Copy of the Auditor-General's comments thereon to the Commissioner. Transmission of Report

PART VI
PRIMARY SCHOOL BASED MANAGEMENT COMMITTEE

Establishment of the
Primary Schools
Management Board

27. (1) There shall be, for each Public Primary School in the State, a Management Committee.
- (2) The Committee shall comprise of:
- (a) A Chairman;
 - (b) The Head Master or Headmistress of the School;
 - (c) Two teaching Staff;
 - (d) One non-teaching Staff;
 - (e) The representative of the State Universal Basic Education Board;
 - (f) A representative of the traditional Institution;
 - (g) A representative of the Local Government Education Authority;
 - (h) Two representatives of the community where the school is located, one of whom must be a woman;
 - (i) A representative of the Parents Teachers Association;
 - (j) The Assistant Head Master, as Secretary.
- (3) The Chairman and the representatives of the community shall be appointed by the Local Government Council Chairman for a period of two years, and may be renewable for another period of two years, on the recommendation of the Education Secretary of the Local Government Area.
- (4) The Head Master/Headmistress shall be the Administrative head of the school and shall be responsible to the Local Government Education Secretary.
28. The Committee shall, subject to guidelines issued by the State Universal Basic Education Board be responsible for:

- (a) Ensuring the general welfare of its staff and pupils;
- (b) Promoting and encouraging community participation in the running of the School;
- (c) Promoting sports and cultural activities;
- (d) Facilitate timely vaccination of pupils with a view to preventing child mortality;
- (e) Ensuring the cleanliness and maintenance of the school facilities;
- (f) Reporting timeously, cases of land encroachment to the Education Secretary, and the State Universal Basic Education Board;
- (g) Handling disciplinary cases of pupils;
- (h) Sourcing for funds and donations for the school;
- (i) Identifying the needs of the school and submitting recommendations to the Education Secretary (ES); and
- (j) Carrying out such other duties or functions as may be assigned to it from time to time, by the Education Secretary.

29. The Governor may, by an Order published in a gazette add, delete or amend the Schedule to this Law, upon approval of the State Executive Council. Guidelines


30. The following Laws are hereby repealed: Repeal

- (a) The Kaduna State Schools Management Boards Law No. 8 of 2001;
- (b) The Kaduna State Science and Technical Schools Management Board Law No. 17 of 2001 and the KSS and TSMB (Amendment Law) 2004; and
- (c) The Kaduna Capital School Law Cap 80 of the Laws of Kaduna State, 1991.

POST PRIMARY SCHOOLS TO BE MANAGED BY MANAGEMENT BOARDS

1. Government College, Kaduna
2. Rimi College, Kaduna
3. Government Secondary School, Kagoro
4. Queen Amina College, Kakuri, Kaduna
5. Alhuda-huda College Zaria
6. Barewa College, Zaria
7. Government Girls College, Zonikwa
8. Government Secondary School, Fadan Kaje
9. Sardauna Memorial College, Kaduna
10. Science Secondary School, Birnin Gwari
11. Science Secondary School, Ikara
12. Science Secondary School, Kufena
13. Girls' Science Secondary School, Kwoi
14. Government College, Kagoro
15. Girl's Science Secondary School, Soba
16. Science Secondary School, Manchock
17. Science Secondary School, Sabon Gari
18. Science Secondary School, Rigachikun
19. Science Secondary School, Kaduna (Kaduna North LGA)
20. The Kaduna Capital School.

DATED AT KADUNA this 30th day of June 2017.


Nasir Ahmad el-Rufai,
Governor, Kaduna State.

EXPLANATORY NOTE:

(This note does not form part of this law and has no legal effect)

The main purpose of this law is to establish post primary Schools Management Boards and Schools Based Management Committees in Kaduna State.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.


HON. AMINU ABDULLAHI SHAGALI
(Speaker)


BELLO ZUBAIRU IDRIS Esq.
(Clerk to the Legislature)