

**Education Sector Support Programme in Nigeria  
(ESSPIN)**

**Input Visit Report**

**Development of the Kwara State  
Education Policy Reform Law  
(Framework Document)**

**Report Number: KW 203**

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## Acronyms and Abbreviations

AME	Agency for Mass Education
DEC	District Education Committee
DFID	Department for International Development
EMIS	Education management information system
EPRL	Education Policy Reform Law
ESSPIN	Education Sector Support Programme in Nigeria
JSS	Junior Secondary School
LG	Local Government
LGEA	Local Government Education Authority
MoEST	Ministry of Education, Science and Technology
MoU	Memorandum of Understanding
NUT	Nigerian Union of Teachers
QAB	Quality Assurance Board
SBMC	School-Based Management Committee
SESP	State Education Sector Project
SUBEB	State Universal Basic Education Board
TOR	Terms of Reference
TSC	Teaching Service Commission
UBE	Universal basic education

## Abstract

1. This report presents a framework for the development of a robust legislative architecture for the management and governance of education in Kwara State. The framework is based on recommendations emanating from a review of legislation presented in a previous report and subsequent discussions held at the Attorney-General's Chambers.

## Executive Summary

2. An assessment of Federal and Kwara State laws, produced in the course of a previous consultancy, focused on the powers and duties of various actors in the provision of free universal basic education (UBE). A major overarching recommendation in the review was that the architecture of management and governance in education in the State (not limited to the provision to UBE) be reconsidered.
3. The purpose of the first phase of this consultancy is to present a framework for the development of a robust legislative architecture for the management and governance of education in Kwara State. The framework is based on the recommendations emanating from the review referred to above.
4. The background to the recommendations is presented, based on the desktop review of legislation and interviews with key actors in management and governance in education conducted in Ilorin, Kwara State from 13-17 July 2009. Key aspects of the legislation that require reform are presented under 'Findings and Issues Arising'; recommendations related to the legislative reform process are presented in the form of a work plan under 'Options and Next Steps'.
5. The framework supports the amendment of a number of aspects of the current education legislation to eliminate outdated and redundant provisions and incorporate updated requirements related to responsibilities for junior secondary schools.
6. The framework also supports the development of an Education Policy Reform Law that sets out in one coherent piece of legislation the functions, powers and duties of various actors in relation to UBE in the State. The role of the MoEST in determining norms and standards will be a centrepiece of the new law, which must be supportive of the education reform process. The law will also address lines of reporting and accountability and requirements for key appointments to ensure that this MoEST role can be effectively undertaken.

## Purpose of the Consultancy

7. An assessment of Federal and Kwara State laws, produced in a previous consultancy, focused on the powers and duties of various actors in the provision of free universal basic education (UBE). (A summary of all key aspects of the range of legislation reviewed is attached as Annex 2.) It was recommended in the review that a number of aspects of the education legislation be revised (not only legislation related to UBE) in order to eliminate overlap in and duplication of functions across the various structures responsible for management and governance. It was argued in the review that a new Education Reform Policy Law be developed that sets out in one coherent piece of legislation the functions, powers and duties of various actors in relation to education in the State. A major overarching recommendation in this respect was that the architecture of management and governance in education in the State be reconsidered.
8. The laws reviewed in the previous consultancy were:
  - The Compulsory, Free Universal Basic Education Act, 2004
  - The Kwara State Compulsory, Free Universal Basic Education Law, 2005
  - The Kwara State Compulsory, Free Universal Basic Education (Amendment) Law, 2009
  - The Kwara State Teaching Service Commission Law, 1992
  - The Kwara State Teaching Service Commission (Amendment) Edict, 1996
  - The Education Edict, 1996
  - The Kwara State Agency for Mass Education Amendment Law, 1992
  - The Kwara State Local Government Law, 2005
  - The State Joint Local Government Account Allocation Committee and the State Joint Local Government Account Allocation Committee (Establishment) Law, 1982 (as amended 2001)
9. The purpose of this second consultancy is to present a framework for the development of a robust legislative architecture for the management and governance of education in Kwara State. In the development of the framework, which is based on the recommendations emanating from the review referred to above, the invaluable assistance of the Institution Building Reform Group and of the Attorney-General's Chambers is acknowledged.
10. The background to the framework follows, based on the desktop review of legislation and interviews with key actors in management and governance in education conducted in Ilorin, Kwara State from 13-17 July 2009. The key aspects of the framework for the development of new legislation are presented under 'Findings and Issues Arising'; recommendations related to the drafting of the legislation are presented in the form of a work plan under 'Options and Next Steps'. TOR tasks completed and proposed follow-up tasks are itemised below.

## Background: Summary of the Issues

### Introduction

11. The purpose of this section is to summarise by theme the issues covered in the desktop review of education legislation and in interviews with key education actors. The summary provides a backdrop to the findings and issues outlined in the next section and the options and next steps derived from the findings and issues. The thematic categories covered in the summary are:
  - Policy responsibilities
  - Management responsibilities
  - Financial responsibilities
  - Human resource management responsibilities
  - Curriculum responsibilities
  - Information-related responsibilities
  - Quality assurance responsibilities
  - Responsibilities for mobilisation and sensitisation
  - Responsibilities for collaboration with donors and development partners
12. These are the key areas of education management covered by the current Federal and State legislation in Kwara State. Ideally, one would expect the various laws to:
  - be technically sound;
  - present a coherent whole, with no law or aspect of any law conflicting with another;
  - describe clearly not only the functions, powers and duties of the various structures responsible for education delivery, but the relationships between the various structures, including lines of accountability; and
  - provide clear developmental guidance (for example, in the form of principles according to which education delivery must be planned, such as equal access, equitable provision and quality) to those responsible for managing the education system.
13. The legislation as it stands falls short in key respects, presenting the following challenges:
  - The various laws do not constitute a coherent developmental framework. They were developed at different times and in different historical contexts. The laws as they stand do not contain statements of principle that would guide education planners in the provision of equitable universal access to quality education.
  - There is no clear definition of the relationships between the key actors in the management of the education system, or of a hierarchy in terms of policy-making or decision-making powers. Reporting responsibilities and lines of accountability are not clear and/or do not reflect actual practice.



- It is clear in the minds of the key actors interviewed that the MoEST is intended to be at the apex of a range of structures responsible for education delivery. However, although the Commissioner for Education has important legal powers, it is not as clear as it could be, from a legal perspective, that the Ministry occupies that apex position. For example, the MoEST is currently not explicitly empowered to give policy direction to the various entities that support the delivery of education in the State.
- Some of the laws contain important technical defects. For example, the Kwara State Teaching Service Commission Law, 1992 (as amended 1996) does not define which education institutions fall under the jurisdiction of the Commission. There are also inconsistencies and duplication of functions across the different laws – for example, the Education Edict, 1996 gives powers to the Commissioner that are similar to powers exercised by the State UBE Board (SUBEB) and the Teaching Service Commission (TSC) in areas such as teacher discipline. However, in the amendment of the various relevant laws, and in the development of any new law, it will be important to ensure that no legal vacuum is created – for example, the Education Edict, 1996 provides for the compulsory registration and deregistration of teachers (Sections 32 to 40), creating a Teachers’ Tribunal to hear complaints against teachers for misconduct and make recommendations to the Commissioner regarding the removal of a teacher from the register of teachers. This provision covers all teachers, not only state-employed teachers, and amendments to the current laws and the provisions of any new law should ensure that there is a coherent regulatory framework that governs the professional behaviour of all teachers.

### Policy Responsibilities

14. The development of policy is a Federal prerogative and implementation of policy is a State duty. This is a logical differentiation. However, there is no provision in the current laws that empowers the MoEST to give detailed policy direction (in the form of State norms and standards) to the various entities that support the delivery of education in the State – the State Universal Basic Education Board (SUBEB), the Teaching Service Commission (TSC), the Agency for Mass Education (AME) and LGEAs.
15. Provision for reporting and accountability in policy and planning can be improved in several respects:
  - The role of the MoEST with respect to the work of the SUBEB, the TSC and the AME could be strengthened by stipulating improved reporting responsibilities and lines of accountability.
  - The relationship between the LG Councils and the LGEA Secretaries is not provided for and is in practice weak. There is in practice a strong relationship between the LGEA Secretaries and the SUBEB.

- Participation of the LG Councils in the SUBEB is provided for in the legislation, but is currently weak.

### Management Responsibilities

16. The Federal responsibility for master plans and the State responsibility for implementation of these plans are clearly expressed in the legislation. A major deficiency, however, is that the overarching role of the MoEST in the management of education is not clearly set out in the legislation. Also, the requirements for key appointments in the various support structures (SUBEB, TSC, AME and LGEAs) are not clearly defined.
17. There are minor defects in the Kwara State Teaching Service Commission Law, 1992 (as amended 1996): the responsibility of the TSC to ensure that Zonal Offices submit annual reports is outdated; the responsibility of the TSC for establishing school Boards of Governors is also outdated in the light of the new federal policy on School-Based Management Committees (SBMCs); the disarticulation of secondary schools (creating junior secondary schools (JSS) as part of the drive to implement UBE) is not covered in the law, and SUBEB's role in the management of JSS is therefore legally also a TSC responsibility.

### Financial Responsibilities

18. Responsibilities with respect to the financing of education are clear. A major deficiency, however, is that the power of the MoEST to determine equitable funding norms is not provided for in the legislation.
19. The TSC is legally responsible for procuring equipment and aids to enhance the efficiency of teachers. This responsibility is not exercised by the TSC.
20. The TSC is currently responsible for the payment of JSS teachers' salaries, and should continue to exercise this responsibility until the disarticulation process referred to above has been completed and the SUBEB and LGEAs are able to take over this responsibility.

### Human Resource Management Responsibilities

21. Responsibilities with respect to human resource management are clear in practice: in the UBE grades (up to JSS3) the SUBEB and the LGEAs are responsible for recruiting, appointing, promoting and disciplining staff at the various salary grade levels; the SUBEB is responsible for regulating the appointment, retirement and re-absorption of teachers; the TSC is responsible for appointing teachers and non-teaching staff in senior secondary schools and technical colleges controlled by the Government or

receiving public funds, and for managing other labour matters such as absorption, promotion and dismissal. In the relevant legislation, however, the responsibility for human resource management in junior secondary schools needs to be clearly located with the SUBEB, with a transitional provision covering the period in which these schools continue to be a TSC responsibility. Also, the definition of which schools fall under the jurisdiction of the TSC needs to be added to the Kwara State Teaching Service Commission Law, 1992.

22. The TSC is also responsible (in secondary schools and technical colleges) for developing and applying procedural guidelines regarding appointments, promotions, discipline and other matters. A similar provision is needed to explicitly cover such labour issues in the UBE grades. A major deficiency, however, is that the overarching role of the MoEST in the development of standards of competence (professional and ethical) for teachers and education officials is not provided for in the legislation. In practice, the guidelines developed and applied by the TSC cover the steps to be taken in procedures related to appointment, promotion and disciplinary hearings, but do not define the standards to be attained or the criteria to be applied – the development of such standards and criteria should be an MoEST responsibility.
23. A further difficulty is that the TSC is responsible for hearing and making binding decisions regarding appeals related to the Commission's own powers (the power to appoint teachers and non-teaching staff in secondary schools and technical colleges controlled by the Government or receiving public funds – a power which is extended to other labour matters such as absorption, promotion and dismissal). It is inappropriate that a body which makes decisions is also the body that hears appeals against its decisions, and this provision should therefore be corrected to reflect the current practice (petitions are presented to the MoEST).
24. Another difficulty is that the Education Edict, 1996 provides for the compulsory registration and deregistration of teachers (a power of the Commissioner) and creates a Teachers' Tribunal to hear complaints against teachers for misconduct and make recommendations to the Commissioner regarding the removal of a teacher from the register of teachers. This duplicates functions of the TSC and SUBEB, which are empowered to deal with disciplinary matters. A major deficiency, however, is that the overarching role of the MoEST in the development of ethical standards for teachers and education officials is not provided for in the legislation.

### **Curriculum Responsibilities**

25. Responsibilities for design and delivery of curricula and learning materials are clear, except that a similar general responsibility (for developing and disseminating curricula and instructional materials and ensuring that curricula and syllabi are in use) is assigned to both the UBE Commission and the SUBEB; in practice these responsibilities are differentiated.

### **Information-Related Responsibilities**

26. Responsibilities with respect to key education-related data across the relevant structures are distinct. A major deficiency, however, is that the overarching role of the MoEST in the development of standards for data gathering and analysis is not provided for in the legislation. The creation of a single education management information system (EMIS) – or multiple compatible systems (residing in the various support structures) – is also not provided for in the legislation.

### **Quality Assurance Responsibilities**

27. Responsibilities with respect to quality assurance across the relevant structures are distinct and clear. However, the overarching powers and duties of the MoEST are not provided for in the legislation. This is an important gap, given the recent inauguration of the Quality Assurance Bureau (QAB) and the need to establish an effective operational framework that maximises the effectiveness of the various monitoring and evaluation mechanisms.

### **Responsibilities for Mobilisation and Sensitisation**

28. Responsibilities with respect to mobilisation and sensitisation across the relevant structures are generally distinct, except that a similar general responsibility is assigned to both the UBE Commission and the SUBEB; in practice these responsibilities (for undertaking mobilisation and sensitisation campaigns) may be differentiated.

### **Responsibilities for Collaboration with Donors and Development Partners**

29. Responsibilities with respect to collaboration and liaison with donors and development partners are clear; although a similar general responsibility is assigned to both the UBE Commission and the SUBEB, there is presumably a need for such collaboration and liaison at both the Federal and State levels, and the State-level responsibility assigned to the SUBEB is limited to matters related to basic education.

## Findings and Issues Arising

30. A number of amendments to the current legislation are required to eliminate outdated provisions and ensure coherence with the education reform process. In addition to amending the current legislation, a new Kwara State Education Reform Policy Law that is supportive of the reform process will be developed to provide for the responsibilities of the MoEST with respect to determining norms and standards for education delivery.
31. In the new Education Reform Policy Law (and, where appropriate, in amendments to the current legislation) appropriate lines of reporting and accountability will be provided for to ensure that this key MoEST role can be effectively undertaken.
32. The new law and the amended legislation must address various categories of responsibility, as set out in the table below. In the table, the legislation which must address the various responsibilities is marked as **EPRL** (Education Policy Reform Law), **A-UBE** (Amendment to the Kwara State Compulsory, Free Universal Basic Education Law, 2005 as amended), **A-TSC** (Amendment to the Kwara State Teaching Service Commission Law, 1992 as amended) or **A-EE** (Amendment to the Education Edict, 1996). Note that some issues need to be addressed in more than one law – for example, clear responsibilities for the management of junior secondary schools need to be addressed in A-UBE and A-TSC, with a transitional provision in the latter to cover the period in which these schools continue to be a TSC responsibility.

Description of Issue	Title of Law Affected and Type of Issue Addressed
Empower the MoEST to give detailed policy direction (in the form of State norms and standards) to the various entities that support the delivery of education in the State.	EPRL (Policy)
Stipulate improved reporting responsibilities and lines of accountability to ensure that the MoEST is legally located at the apex of the various entities responsible for policy implementation.	EPRL (Policy)
Clearly define the overarching role of the MoEST in the management of education.	EPRL (Management)
Clearly define the procedural and substantive requirements for key appointments in the various support structures (SUBEB, TSC, AME and LGEAs).	EPRL (Management)

Description of Issue	Title of Law Affected and Type of Issue Addressed
The new Education Reform Policy Law should stipulate the functions, powers and duties of the SBMCs, and define their place and role in the overall architecture of management and governance of the education system. The law should empower the MoEST to determine fundamental matters related to the SBMCs (such as electoral rules) and empower the SBMCs to determine their own operational procedures – all within a framework of basic principles such as fairness, democracy and transparency.	EPRL (Management)
Provide for the power of the MoEST to determine equitable funding norms.	EPRL (Finance)
Ensure that the TSC's current responsibility for procuring equipment and aids to enhance the efficiency of teachers in senior secondary schools is appropriately allocated.	EPRL (Finance)
The legislation must provide for the overarching role of the MoEST in the development of standards of competence (professional and ethical) for teachers and education officials. It should be clear that the development of such standards will encompass all post levels (for example, head teacher as well as teacher) and all locations (office-based and school-based).	EPRL (HR)
The overarching role of the MoEST in the development of standards for data gathering and analysis must be provided for in the legislation.	EPRL (Information)
The creation of a single education management information system (EMIS) – or multiple compatible systems (residing in the various support structures) – must also be provided for.	EPRL (Information)
The overarching powers and duties of the MoEST with respect to quality assurance must be provided for in the legislation.	EPRL (Quality)
Strengthen the relationship between the LG Councils and the LGEA Secretaries.	A-UBE (Policy)
The responsibility for the management of junior secondary schools needs to be clearly located with the SUBEB, with a transitional provision covering the period in which these schools continue to be a TSC responsibility.	A-UBE (Management)

Description of Issue	Title of Law Affected and Type of Issue Addressed
The TSC is responsible (in the schools under its jurisdiction) for developing and applying procedural guidelines regarding appointments, promotions, discipline and other matters. A similar provision is needed in an amendment to the Kwara State Compulsory, Free UBE Law, 2005 to cover such labour issues in the UBE grades.	A-UBE (HR)
The SUBEB and the TSC are currently responsible for human resource development. It should be clear that teachers (at the various post levels), education officials (in all the various structures, including local government) and SBMCs are all in need of developmental support, and the responsibilities for providing such support need to be clearly set out.	A-UBE (HR)
The responsibility for the management of junior secondary schools needs to be clearly located with the SUBEB, with a transitional provision covering the period in which these schools continue to be a TSC responsibility.	A-TSC (Management)
The responsibility of the TSC to ensure that Zonal Offices submit annual reports is outdated and should be removed.	A-TSC (Management)
The responsibility of the TSC for establishing school Boards of Governors is outdated in the light of the new federal policy on SBMCs and should be amended.	A-TSC (Management)
Remove reference to the TSC's responsibility for procuring equipment and aids to enhance the efficiency of teachers in senior secondary schools and ensure that the responsibility is appropriately allocated.	A-TSC (Finance)
Create a transitional provision to ensure the payment of JSS teachers' salaries by the TSC until the disarticulation process has been completed and the SUBEB and LGEAs are able to take over this responsibility.	A-TSC (Finance)
The definition of which schools fall under the jurisdiction of the TSC needs to be added to the Kwara State Teaching Service Commission Law, 1992.	A-TSC (HR)

Description of Issue	Title of Law Affected and Type of Issue Addressed
<p>The TSC is responsible for hearing and making binding decisions regarding appeals related to the Commission's own powers (the power to appoint teachers and non-teaching staff in secondary schools and technical colleges controlled by the Government or receiving public funds – a power which is extended to other labour matters such as absorption, promotion and dismissal). This provision should be corrected to reflect the current practice (petitions are presented to the MoEST), noting that appeals to the TSC against disciplinary procedures at school level are acceptable. More generally, the legislative architecture needs to provide for a coherent, fair and transparent appeals framework for all teachers.</p>	A-TSC (HR)
<p>The SUBEB and the TSC are currently responsible for human resource development. It should be clear that teachers (at the various post levels), education officials (in all the various structures, including local government) and SBMCs are all in need of developmental support, and the responsibilities for providing such support need to be clearly set out.</p>	A-TSC (HR)
<p>The Education Edict, 1996 provides for the compulsory registration and deregistration of teachers (a power of the Commissioner) and creates a Teachers' Tribunal to hear complaints against teachers for misconduct and make recommendations to the Commissioner regarding the removal of a teacher from the register of teachers. This provision duplicates functions of the TSC and SUBEB, which are empowered to deal with disciplinary matters, and should be reviewed. However, in the amendment of the various relevant laws, and in the development of any new law, it will be important to ensure that no legal vacuum is created – for example, the relevant provisions of the Education Edict, 1996 (Sections 32 to 40) cover all teachers, not only state-employed teachers, and amendments to the current laws and the provisions of any new law should ensure that there is a coherent regulatory framework that governs the professional behaviour of all teachers.</p>	A-EE (HR)



## Options and Next Steps

33. The steps required for the development of a new legal framework for education management and governance in Kwara State are itemised in the following table with recommended timeframes.

Action	Timeframe	Responsibility
<p>Conduct detailed workshops with key actors in education management and governance in order to deepen the understanding of the legislative changes needed and facilitate a collective meeting of the key actors in order to build consensus regarding the legislative changes needed. The following key actors will participate in the workshops and the collective meeting:</p> <ul style="list-style-type: none"> <li>• Senior MoEST officials</li> <li>• Senior SUBEB officials and Board members</li> <li>• Senior TSC officials and Commission members</li> <li>• Senior AME officials and Board members</li> <li>• Senior LG officials and Council Chairpersons</li> <li>• State House of Assembly Education Committee</li> </ul>	October 2009	ESSPIN, MoEST and Attorney-General's Chambers
Based on the outcomes of the workshops and the collective meeting referred to above, draft the relevant legislative texts.	October-November 2009	Attorney-General's Chambers in collaboration with ESSPIN
Present a draft of the required legislation to the key actors and consult with the State House of Assembly Education Committee.	November 2009	Attorney-General's Chambers in collaboration with ESSPIN
Publish a technically sound draft of the draft Kwara State Education Reform Policy Law and required amendments to current laws for public consultation.	December 2009	Attorney-General's Chambers and MoEST in collaboration with ESSPIN

Action	Timeframe	Responsibility
Submit a technically sound post-consultation draft Kwara State Education Reform Policy Law and required amendments to current laws to the State Executive Council.	December 2009	Attorney-General's Chambers and MoEST in collaboration with ESSPIN

## Conclusion

34. This report presents a framework for the amendment of the current education legislation to eliminate outdated and redundant provisions and incorporate updated requirements related to responsibilities for junior secondary schools.
35. The report also presents a framework for the development of an Education Policy Reform Law setting out the functions, powers and duties of various actors in relation to education in the State. The role of the MoEST in determining norms and standards will be a centrepiece of the new law, which must be supportive of the education reform process. The law will also address lines of reporting and accountability and requirements for key appointments to ensure that this MoEST role can be effectively undertaken.

## Annex 1: Terms of Reference

### Terms of Reference for a Successive TA Assignment

**Date:** 25 August 2008

**Title of the assignment:** Development of the Kwara State Education Policy Reform Law

**Dates of the assignment:** 13 September to 23 December 2009

#### Background

The Education Sector Support Programme in Nigeria (ESSPIN) is a six-year DFID programme of education development assistance and is a part of a suite of programmes aimed at improvements in governance and the delivery of basic services. ESSPIN's aim is to have a sustainable impact upon the way in which government in Nigeria delivers education services and is directed at enabling institutions to bring about systemic change in the education system, leveraging Nigerian resources in support of State and Federal Education Sector Plans and building capacity for sustainability. As a support programme, it is attempting to work through existing government structures on the supply side of education and to effect change from within. It is also attempting to stimulate demand for higher quality education services. It is currently operating in five States (Kano, Kaduna, Kwara, Jigawa and Lagos) and at the Federal level. ESSPIN builds upon previous technical assistance projects in education, in particular the Capacity for Universal Basic Education Project (CUBE). ESSPIN will run in parallel with World Bank credit-funded projects in four of the States (the State Education Sector Project (SESP) in Kano, Kaduna and Kwara and SESP II in Lagos).

This assignment is intended to address deficiencies in state education legislation, which currently does not provide for a robust architecture of management and governance that is supportive of the systemic education reform process. The legislation as it stands is inadequate in the following respects:

- The various laws do not constitute a coherent developmental framework. They were developed at different times and in different historical contexts. The laws as they stand do not contain statements of principle that would guide education planners in the provision of equitable universal access to quality education.
- There is no clear definition of the relationships between the key actors in the management of the education system, or of a hierarchy in terms of policy-making or decision-making powers. Reporting responsibilities and lines of accountability are not clear and/or do not reflect actual practice.
- Although it is clear in the minds of the key actors interviewed that the MoEST is intended to be at the apex of a range of structures responsible for education delivery, it is not clear from a legal perspective that the Ministry occupies that

position. The MoEST is currently not explicitly empowered to give policy direction to the various entities that support the delivery of education in the State.

- Some of the laws contain important technical defects. For example, the Kwara State Teaching Service Commission Law, 1992 (as amended 1996) does not define which education institutions fall under the jurisdiction of the Commission. There are also inconsistencies and duplication of functions across the different laws – for example, the Education Edict, 1996 gives powers to the Commissioner that are similar to powers exercised by the State UBE Board (SUBEB) and the Teaching Service Commission (TSC) in areas such as teacher discipline.

## **Objectives of the Assignment**

### **The Purpose of this Assignment is to:**

- Eliminate outdated and redundant provisions in the current legislation.
- Develop an Education Policy Reform Law that sets out in one coherent piece of legislation the functions, powers and duties of various actors in relation to UBE in the State.
- Ensure that the role of the MoEST in determining norms and standards in the education sector is a centrepiece of the new law, which must be supportive of the education reform process.
- Address, in the drafting of the new legislation, lines of reporting and accountability and requirements for key appointments to ensure that the MoEST role in determining norms and standards can be effectively undertaken.

### **Outputs**

- A draft Education Policy Reform Law ready for submission to the Kwara State House of Assembly.
- A Visit Report after each trip to Ilorin, Kwara State outlining activities undertaken and required changes to the planned activities to ensure that the above output is achieved within the planned timeframe.
- A Technical Report on completion of the assignment outlining all activities undertaken and outputs achieved, with comments regarding lessons learned that should be heeded in other similar assignments in other states in which ESSPIN is providing technical assistance.

### **Activities (including itinerary)**

The following activities will be undertaken in alignment with and feeding into the organisational development work currently being carried out with ESSPIN support, and in collaboration with the Institutional Reform Working Group established by the Commissioner (MoEST):

- Discuss the current education legislation and required amendments with the designated staff member of the Attorney-General's Chambers and agree on a

framework for the architecture of the new legislation (including laws that need to be repealed, incorporation of relevant sections of repealed laws into the new law, and correction of technical deficiencies in laws that will remain on the statute books). Draft the framework for the agreed architecture of the new legislation and agree on the text with the Attorney-General's Chambers (**September 2009 in Ilorin, with ESSPIN support – 6 days**).

- Conduct detailed workshops with key actors in education management and governance in order to deepen the understanding of the legislative changes needed and facilitate a collective meeting of the key actors in order to build consensus regarding the legislative changes needed (**October 2009 in Ilorin, with ESSPIN and MoEST support – 12 days**).
- Based on the outcomes of the workshops and the collective meeting referred to above, and in close collaboration with the Attorney-General's Chambers by email, draft the relevant legislative texts (**November 2009 at home office – 6 days**). This may entail original writing, or commenting in detail on draft text produced by the designated staff member of the Attorney-General's Chambers and proposing revisions to the text, or both – subject to a modus operandi to be agreed with the Attorney-General's Chambers.
- Present a draft of the required legislation to the key actors and consult with the State House of Assembly Education Committee (**November 2009, Ilorin – 6 days, with ESSPIN and MoEST support**).
- In close collaboration with the Attorney-General's Chambers by email, assist in the publication of a technically sound draft of the draft Kwara State Education Reform Policy Law and required amendments to current laws for public consultation (**December 2009 at home office – 4 days**).
- Assist the Attorney-General's Chambers in the submission of a technically sound post-consultation draft of the draft Kwara State Education Reform Policy Law and required amendments to current laws to the State Executive Council (**December 2009, Ilorin – 6 days, with ESSPIN and MoEST support**).
- The above tasks will require four missions to Ilorin, Kwara State (**30 days, September to December 2009**).
- The above tasks will additionally require work based at home office (**10 days, September to December 2009**).

## Management Arrangements

### *Accountability*

The consultant will report to the ESSPIN State Team Leader and will also have a professional reporting line to the Lead Specialist on Institutional Development who will approve all reports.

#### *Location and Travel*

The consultant will be based at home office with travel to Ilorin, Kwara State.

#### *Reporting*

A short Visit Report must be submitted on completion of each mission and a longer Technical Report is required as defined under the Outputs above. All reports should use the prescribed Word template and formatting styles. (NB all ESSPIN reports are potentially public documents for wide circulation and should be written with due sensitivity).

### **Qualifications and Experience required (if not already established)**

#### *Qualifications*

- Minimum: Masters degree relevant to the assignment.

#### *Experience*

- At least 15 years' experience relevant to the assignment (including experience in the assessment and development of education legislation).

#### *Other Experience/ Knowledge / Abilities*

- Excellent logical thinking, coupled with sensitivity with regard to political processes and the challenges inherent in sociopolitical transformation.
- Excellent writing skills, research skills (desktop and field), negotiating skills and proficiency in English.

## Annex 2: Summary of Laws

Summary of Provisions	Title of Law
1. Noting that certain sections of the 1999 Constitution may be relevant and will take precedence over the Act, Section 1 provides that ‘the Federal Government’s intervention under this Act will only be an assistance to the States and Local Governments in Nigeria for the purposes of uniform and qualitative basic education throughout Nigeria.’	Compulsory, Free UBE Act 2004
2. Sections 2 and 4 set out the fundamental duties relevant to the purpose of the Act: <ul style="list-style-type: none"> <li>• They stipulate that ‘every Government shall provide free, compulsory and universal basic education for every child of primary and junior secondary school age’ (defined in Section 15 as nine years of formal schooling for children between the age of 6 and 16 years of age).</li> <li>• They set out the duty of parents to ensure that their children attend regularly and complete primary and junior secondary education, and penalties that may be imposed on parents who fail to carry out their duties in this regard.</li> </ul>	Compulsory, Free UBE Act 2004
3. Section 3 stresses that public primary and junior secondary education must be free of charge, and specifies penalties for anyone who receives or obtains a fee for these levels of public education.	Compulsory, Free UBE Act 2004
4. Part II of the Act provides for the establishment of the UBE Commission, which replaces the National Primary Education Commission. The members of the new Commission (appointed by the President on the recommendation of the Minister) are: <ul style="list-style-type: none"> <li>• a part-time Chairman;</li> <li>• senior representatives of federal ministries;</li> <li>• representatives of the six geopolitical zones;</li> <li>• representatives of unions and other associations, including women’s groups;</li> <li>• senior representatives of other relevant commissions, councils and institutes;</li> <li>• an Executive Secretary, who is the chief executive and accounting officer; and</li> <li>• two Deputy Executive Secretaries (Technical and Services).</li> </ul>	Compulsory, Free UBE Act 2004

Summary of Provisions	Title of Law
<p>5. The Executive Secretary and the two deputies hold office for five years, renewable for a further four if performance is satisfactory. Other members hold office for four years (maximum two terms), unless they are ex officio members. Detail related to the proceedings of the Commission and the establishment of committees is provided in a Schedule.</p>	
<p>6. The functions of the Commission (Section 9) are to:</p> <ul style="list-style-type: none"> <li>• formulate relevant policy guidelines at the federal level;</li> <li>• allocate the Federal block grant to governments and other implementation agencies and ensure that the grant is used in accordance with the Act;</li> <li>• determine a formula for the allocation of the block grant for approval by the Federal Executive Council;</li> <li>• prescribe minimum standards for basic education that conform to the National Policy on Education and directives of the National Council on Education, and monitor the implementation of the standards;</li> <li>• develop master plans for the provision of basic education after consultation with States and Local Governments and other relevant stakeholders;</li> <li>• take responsibility for relevant data, enquiries, research and personnel audits (the latter in collaboration with States and Local Governments), monitor Federal inputs and report on progress to the President through the Minister;</li> <li>• collaborate and/or liaise with relevant non-governmental, multilateral agencies, donors and development partners;</li> <li>• develop and disseminate curricula and instructional materials, and ensure that curricula and syllabi are in use;</li> <li>• undertake mobilisation and sensitisation campaigns;</li> <li>• support capacity building for teachers and education managers; and</li> <li>• carry out other functions required to achieve the objectives of the Act, and other functions that the Minister may determine.</li> </ul>	Compulsory, Free UBE Act 2004
<p>7. Part III of the Act addresses the financing of UBE. Section 11 stipulates that the Federal block grant shall not be less than 2% of the Federal Consolidated Revenue Fund, that a State will only qualify for the grant if it contributes 50% or more of</p>	Compulsory, Free UBE Act 2004



Summary of Provisions	Title of Law
the total cost of implementation of the Act, and that the State UBE Board must administer and disburse the funds.	
8. Part IV of the Act provides for the establishment in each State of a State UBE Board, whose 'structure, functions, composition and tenure of office' must be prescribed by a law enacted by the State House of Assembly. A Local Education Authority (LEA) must be established in each Local Government Area of a State.	Compulsory, Free UBE Act 2004
9. Part I of the Kwara State UBE Law replicates key provisions of the Federal UBE Act, such as the duty of parents to ensure that their children attend regularly and complete primary and junior secondary education. Part I has the following additional features: <ul style="list-style-type: none"> <li>provisions to prevent children of the relevant age being out of school during school hours (Section 4);</li> <li>the establishment of State and Local Government Monitoring Teams to ensure that children of the relevant age attend school (Section 4); and</li> <li>provisions related to the conduct and deployment of teachers, including incentives for teachers in rural areas (Sections 7 to 9).</li> </ul>	Kwara State Compulsory, Free UBE Law 2005
10. Part II of the Kwara State UBE Law satisfies the Federal requirement that a State UBE Board be established. Sections 11 to 15 (as amended in 2009) address the composition of the Board and the appointment, payment and terms of office of members, including a part-time Chairman, ex officio representatives (of Senatorial Districts, MoE, Local Government Areas, the Federal Ministry), education stakeholders and an Executive Secretary.	Kwara State Compulsory, Free UBE Law 2005
11. Sections 11 to 15 (as amended in 2009) address the composition of the Board and the appointment, payment and terms of office of members, including a part-time Chairman, ex officio representatives (of Senatorial Districts, MoE, Local Government Areas, the Federal Ministry), education stakeholders and an Executive Secretary.	Kwara State Compulsory, Free UBE Law 2005
12. Section 16 sets out the functions of the UBE Board. These generally replicate the key elements of Section 9 of the Federal UBE Act, with the following additional functions that are specific to the State UBE Law:	Kwara State Compulsory, Free UBE Law 2005

Summary of Provisions	Title of Law
<ul style="list-style-type: none"> <li>• manage the UBE Programme in the State, implementing Federal policy guidelines and coordinating and supervising teaching and learning in the relevant phases of education (public and private sectors, funding the latter when necessary);</li> <li>• maintain Departments with key functions related to monitoring and evaluation, school data (annual census), supervision, research and personnel management;</li> <li>• ensure compliance with Federal standards stipulated by the Commission and the National Council on Education;</li> <li>• carry out the recruitment, appointment, promotion and discipline of staff on or above salary grade level 07, and ensure the payment of all staff and the granting of vacations;</li> <li>• post and deploy staff;</li> <li>• assess, source and fund salaries of teaching and non-teaching staff;</li> <li>• prepare testimonials and certificates of service;</li> <li>• regulate the appointment, retirement and re-absorption of teachers;</li> <li>• receive and disburse grants from the Commission;</li> <li>• undertake capital projects; and</li> <li>• report on progress to the Governor through the Commissioner.</li> </ul>	
<p>13. Part III (with certain amendments effected in 2009) provides for the administrative organisation of the Board. An Executive Secretary appointed by and accountable to the Governor is the CEO and Accounting Officer, with the power to authorise expenditure in accordance with plans and budgets approved by the Board. Actions taken by the Executive Secretary with regard to policy issues are subject to ratification by the Board, which is responsible for regulating (subject to the approval of the Governor) and effecting the appointment, promotion, transfer and dismissal of its employees.</p>	Kwara State Compulsory, Free UBE Law 2005
<p>14. Part IV addresses the finances of the Board, empowering it to raise loans, invest its funds, accept gifts and effect expenditure, and requiring the Board to report to the Governor through the Commissioner. Reports must include the audited accounts of the Board, to be inspected by the</p>	Kwara State Compulsory, Free UBE Law 2005

Summary of Provisions	Title of Law
Auditor-General.	
15. As required by the Federal UBE Act, Part V regulates the establishment of Local Government Education Authorities (LGEAs), whose membership includes a part-time Chairman, ex officio members, stakeholder representatives and an Education Secretary. LGEA members who are not public officers are appointed by the Chairman of the Local Government; certain stakeholder representatives are appointed by the bodies they represent.	Kwara State Compulsory, Free UBE Law 2005
16. Section 33 sets out the functions of the LGEA. These relate to: <ul style="list-style-type: none"> <li>• day-to-day oversight of the implementation of UBE, ensuring full enrolment and attendance;</li> <li>• the recruitment, appointment, promotion and discipline of staff below salary grade level 07, and ensure the payment of all staff and the granting of vacations;</li> <li>• recommending to the UBE Board the promotion and discipline of staff on or above salary grade level 07;</li> <li>• financial duties (annual estimates and accounts and monthly returns, and ensuring the payment of all staff);</li> <li>• distribution of learning materials and equipment;</li> <li>• mobilisation and sensitisation, and providing feedback to the UBE Board on public opinion;</li> <li>• responding to directives of the Board and reporting annually to it;</li> <li>• data maintenance; and</li> <li>• monitoring and supervision of the District Education Committees and schools.</li> </ul>	Kwara State Compulsory, Free UBE Law 2005
17. Part VI deals with the District Education Committees (DECs), whose membership includes a Chairman, stakeholder representatives and a Secretary. The Chairman and other members are appointed by the Local Government Council; certain stakeholder representatives are appointed by the bodies they represent.	Kwara State Compulsory, Free UBE Law 2005
18. Section 34(7) sets out the functions of the DEC. These relate to: <ul style="list-style-type: none"> <li>• making recommendations to the LGEA regarding maintenance of buildings, teaching equipment and staffing, and generally informing the LGEA of education-related problems;</li> </ul>	Kwara State Compulsory, Free UBE Law 2005

Summary of Provisions	Title of Law
<ul style="list-style-type: none"> <li>• promoting public participation in the implementation of UBE; and</li> <li>• ensuring full enrolment and attendance.</li> </ul>	
<p>19. Part VII contains miscellaneous provisions, for example relating to the acquisition of land for the implementation of UBE, the dissolution of the Kwara State Primary Education Board and definitions of key terms. The First Schedule contains provisions related to the proceedings and modus operandi of the various structures, and the Second Schedule contains transitional provisions related to the dissolution of the Kwara State Primary Education Board.</p>	<p>Kwara State Compulsory, Free UBE Law 2005</p>
<p>20. Sections 1 to 3 of the Kwara State Teaching Service Commission Law, 1993 provide the short title of the Act and definitions, and establish the Kwara State Teaching Service Commission. Section 4 details the membership of the Commission (appointed by the Military Administrator on the recommendation of the Commissioner) as follows: a Chairman, three full-time members, one part-time member, a Secretary, a representative of the Ministry, a representative of the Nigerian Union of Teachers (NUT) and a representative of the State Parents Teachers Association. Sections 5 to 9 provide that: one member of the Commission must be a woman; all members may be paid and shall hold office for a period of four years, which period may be altered by the Governor as the person responsible for the appointment (and termination of appointment) of members; public servants may be assigned by the Commissioner or the Administrator to assist the Commission.</p>	<p>Kwara State Teaching Service Commission Law, 1992 (as amended 1996)</p>
<p>21. Section 10 stipulates as a duty of the Commission the establishment of a Board of Governors for each school under its jurisdiction. Section 11(1) gives the Commission the power (subject to the control of the Commissioner and the Governor – Section 12) to appoint teachers (who must be qualified – Section 11(3)(f)) and non-teaching staff in secondary schools and technical colleges controlled by the Government or receiving public funds. This power is extended to other labour matters such as absorption, promotion and dismissal, provided that in all of these matters the recommendations of the proprietor must be considered if the matter relates to a</p>	<p>Kwara State Teaching Service Commission Law, 1992 (as amended 1996)</p>

Summary of Provisions	Title of Law
<p>school principal (Section 11(2)). Other powers and functions of the Commission are set out in Section 11(3-4) and Sections 12 to 14:</p> <ul style="list-style-type: none"> <li>• Maintain personal [personnel?] records.</li> <li>• Report annually on heads of institutions, and ensure that Zonal Offices submit annual reports, which must include annual estimates and establishment proposals based on reports submitted by heads of institutions.</li> <li>• Handle the welfare and training of school staff.</li> <li>• Procure equipment and aids to enhance the efficiency of teachers.</li> <li>• Prepare testimonials and certificates of service.</li> <li>• Subject to the approval of the Governor, develop and apply guidelines regarding appointments, promotions, discipline and other matters 'in line with what obtains in the State Civil Service' (Section 13).</li> <li>• Deal with leave matters in conformity with the Section 13 guidelines.</li> <li>• Perform other relevant functions that may be determined by the Governor or the Executive Council.</li> <li>• Review the operational methods and organisational structure of the State Teaching Service and propose modifications to the Governor.</li> <li>• Hear and make binding decisions regarding appeals related to the Commission's own Section 11(1) powers.</li> </ul>	
<p>22. Sections 14 to 16 provide for the administrative organisation of the Commission, which may regulate its own proceedings. The Secretary (appointed by the Administrator on the recommendation of the Commissioner, and accountable to the Chairman and the Commissioner) is responsible for administrative tasks and offering professional advice. The Chairman is the CEO and Chief Accounting Officer of the Commission.</p>	<p>Kwara State Teaching Service Commission Law, 1992 (as amended 1996)</p>
<p>23. Sections 17 and 18 provide for the funds of the Commission (monthly subventions from the State Government or any other Government and operational grants) and financial reporting.</p>	<p>Kwara State Teaching Service Commission Law, 1992 (as amended 1996)</p>

Summary of Provisions	Title of Law
24. Section 19 repeals the Kwara State Education Management Board Edict No. 8 of 1984 and Section 19 dissolves the Board referred to in the same Edict. Section 21 contains a transitional provision vesting the assets, funds, resources and liabilities of the dissolved Board in the Commission.	Kwara State Teaching Service Commission Law, 1992 (as amended 1996)
25. Sections 1 and 2 of the Education Edict, 1996 provide the short title of the Edict and definitions.	Education Edict, 1996
26. Sections 3 to 8 set out the powers and duties of the Commissioner for Education. These relate to: <ul style="list-style-type: none"> <li>• Ensuring that children have access to primary education from the age of 6, and that children attending secondary school are at least 12 years old.</li> <li>• Ensuring that children aged 3 to 5 have access to pre-primary education with well trained teachers and essential equipment, and the nursery schools are inspected.</li> <li>• Issuing policy guidelines for admission into schools.</li> <li>• Providing special schools and adequate facilities for handicapped children.</li> <li>• Providing, at his or her discretion, technical, adult and non-formal education.</li> <li>• Providing for routine and special inspections of institutions.</li> </ul>	Education Edict, 1996
27. Section 9 stipulates that children must (if they are 'able and capable') attend primary school from the age of 6; Section 10 prescribes the duty of parents in this regard and Section 16 prescribes a fine or imprisonment in this regard. Section 11, with certain caveats (non-availability of educational facilities and medical grounds), creates the grounds for the prosecution of parents whose children are withdrawn from primary school or fail to attend regularly. Section 12 makes it a duty for parents to enrol their children in a post-primary institution. Section 13, with one caveat (reasonable cause, which must be proven by the parents), creates the grounds for the prosecution of parents whose children are withdrawn from a post-primary institution or fail to attend regularly. Section 14 extends the ground for prosecution to 'any person charged with the responsibility of admission' to public primary and post-primary institutions who 'refuses or fails' to	Education Edict, 1996

Summary of Provisions	Title of Law
admit pupils of the relevant age, and specifies a fine or imprisonment or both for such an offence. The offence is extended to any person who 'suspends or terminates' the pupil's studies; heads of institutions may nevertheless suspend a pupil on disciplinary grounds for not more than four weeks, but only the 'appropriate State Government authority' may dismiss a pupil.	
28. Section 15 relates to the unlawful employment of registered pupils, which may be prohibited by various authorities (such as the LGEA) if such employment is prejudicial to the child's health or renders him or her 'unfit to obtain the full benefit' of education. A fine or imprisonment are specified in Section 17.	Education Edict, 1996
29. Section 18 prescribes fines (and imprisonment if a fine is not paid) for offences defined in the Edict generally to which no specific penalty has been attached in the relevant section.	Education Edict, 1996
30. Section 19 provides for the delegation of functions by the Commissioner.	Education Edict, 1996
31. Sections 20 to 23 govern the establishment of new institutions and the determination of relevant requirements, and prescribe a fine or imprisonment for failure to comply with the requirements at any time. Section 24 allows the Commissioner to close an institution that is not acting in the interest of pupils and the community. Section 25 empowers the Commissioner to merge or split institutions for reasons of 'greater economy or efficiency', with provisions related to compensation and appeals by proprietors to the High Court.	Education Edict, 1996
32. Section 26 relates to the establishment and closure of education advancement classes.	Education Edict, 1996
33. Sections 27 and 28 provide for the payment of annual registration fees by private institutions.	Education Edict, 1996
34. Sections 29 to 31 provide for a 'reasonable period of religious instruction' in institutions, and also for the protection of freedom of belief.	Education Edict, 1996
35. Sections 32 to 40 provide for the compulsory registration and deregistration of teachers, creating a Teachers' Tribunal to hear complaints against teachers for misconduct and make recommendations to the Commissioner regarding the removal of a teacher from the register of teachers.	Education Edict, 1996

Summary of Provisions	Title of Law
36. Section 41 empowers the Commissioner to prevent or remedy the discontinuation of educational services at an institution. Sections 42 and 43 empower the Commissioner give directions to heads of institutions in order to enforce the duties imposed by the Edict and its associated regulations.	Education Edict, 1996
37. Section 44 empowers the Commissioner to make grants-in-aid to institutions; Section 46 empowers the Commissioner to 'recommend financial assistance to needy institutions and individuals'.	Education Edict, 1996
38. Section 45 empowers the Administrator to make regulations of various kinds to ensure appropriate implementation of the Edict.	Education Edict, 1996
39. Section 47 establishes a State Examination Disciplinary Committee to 'try any person or group of persons involved in examination malpractices' and prescribe relevant penalties, which do not include a fine or imprisonment.	Education Edict, 1996
40. Section 48 repeals the Education Edict No. 2 of 1974 and the Enforcement of School Attendance Edict No. 10 of 1987.	Education Edict, 1996
41. Part I of the Kwara State Agency for Mass Education Amendment Law, 1992 (as amended by Edict No. 12 of 1995) provides the short title and definitions.	Kwara State Agency for Mass Education Amendment Law, 1992
42. Part II of the Law establishes the Kwara State Agency for Mass Education with a Board comprising a part-time Chairman, four part-time members (one a woman), and Executive Director, a representative of the Ministry and other stakeholders appointed by the Governor. Part II also provides for: the remuneration of members of the Board; the terms of office of members; the autonomy of the Agency (including a direct relationship with the Governor and a 'consultative' relationship with the Ministry); and the funding of the Board (Section 13), which comprises monthly subventions by the Government, operational grants allocated by any Government or agency, money earned from sales or investment and charges or fees.	Kwara State Agency for Mass Education Amendment Law, 1992



Summary of Provisions	Title of Law
<p>43. Sections 9, 10 and 12 set out the functions and powers of the Agency:</p> <ul style="list-style-type: none"> <li>• Organise and implement literacy programmes for adults, including rural and continuing education programmes and other forms of non-formal and vocational education, with special attention to women's education.</li> <li>• Organise and implement mass education programmes, including programmes for adults and school drop-outs.</li> <li>• Regulate the conditions for (and disqualification of beneficiaries from) Agency benefits.</li> <li>• Prescribe fees for the Agency's functions, to be determined by the Board.</li> </ul>	Kwara State Agency for Mass Education Amendment Law, 1992
<p>44. Part III provides for the administrative organisation of the Board. In terms of Section 14, the Executive Director of the Agency is its Chief Administrative Officer, subject to the control of the Governor. Sections 15 and 16 regulate the employment of officers (who are recognised in Section 18 for Government pension purposes), and Section 17 empowers the Board (with the approval of the Governor) to make regulations in this regard.</p>	Kwara State Agency for Mass Education Amendment Law, 1992
<p>45. An Executive Secretary appointed by and accountable to the Governor is the CEO and Accounting Officer, with the power to authorise expenditure in accordance with plans and budgets approved by the Board. Actions taken by the Executive Secretary with regard to policy issues are subject to ratification by the Board, which is responsible for regulating (subject to the approval of the Governor) and effecting the appointment, promotion, transfer and dismissal of its employees.</p>	
<p>46. Part IV (incorrectly numbered Part II in the version available) addresses the financial and other reporting duties of the Board, empowering the Governor to approve, disallow or reduce the Agency's estimates of revenue and expenditure.</p>	Kwara State Agency for Mass Education Amendment Law, 1992
<p>47. Part V regulates the Proceedings of the Board, empowering the Board to co-opt members for advice on particular matters.</p>	Kwara State Agency for Mass Education Amendment Law, 1992

Summary of Provisions	Title of Law
48. Section 27 of Part V repeals the Kwara State Agency for Adult and Non-Formal Education Edict, 1990 and Section 28 dissolves the Kwara State Agency for Adult and Non-Formal Education, whose assets are vested in the Agency by virtue of Section 29.	Kwara State Agency for Mass Education Amendment Law, 1992
49. The Social Development Factor allocation in the State Joint Local Government Account (as represented by Primary School Enrolment) is set at 12.5% (amended upwards in 2001 from 10%) of the sum of: allocations made to the Local Government Councils in the State from the Federation Account; and 10% of the total revenue of the State.	State Joint Local Government Account Allocation Committee and the State Joint Local Government Account Allocation Committee (Establishment) Law, 1982 (as amended 2001)
50. Section 15(1)(l) of the Kwara State Local Government Law, 2005 empowers Local Government Councils to participate in the Government of a State in respect of the provision of primary, adult and vocational education.	Kwara State Local Government Law, 2005
51. Part V of the Kwara State Local Government Law, 2005 establishes a Liaison Unit in the Office of the Governor, comprising Liaison Officers with responsibility for each Local Government Area in the State whose functions are to: observe activities of the Local Governments; monitor and coordinate State projects in the Local Government areas; ensure closer ties between the Government and the people of the Local Government Areas; and provide information to the State Government on people's needs and on the impact of the State Government and Local Governments in Local Government Areas.	Kwara State Local Government Law, 2005

### Annex 3: List of Interviewees

Adetunji Fagbemi	Permanent Secretary, MoEST
Institution Building Reform Group	MoEST
Nike Akinpelu	Attorney-General's Chambers