

**IN THE FOURTH SESSION OF THE SEVENTH
PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA**

**REPORT OF THE
COMMITTEE ON EDUCATION**

ON THE

**EDUCATION REGULATORY BODIES
BILL, 2019**

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REPORT OF THE COMMITTEE ON EDUCATION ON THE EDUCATION REGULATORY BODIES BILL, 2019

1.0 INTRODUCTION

1.1 The Education Regulatory Bodies Bill, 2019 was presented to the House and read the first time on Thursday, 2nd May, 2019.

Pursuant to Article 106 (4) and (5) of the 1992 Constitution of the Republic of Ghana and Order 186 of the Standing Orders of the House, the Rt. Hon Speaker referred the Bill to the Committee on Education for consideration and report.

1.2 Subsequently, the Committee on Education met and discussed the Bill. The Hon. Minister for Education, Dr. Matthew Opoku Prempeh, the Minister of State in Charge of Tertiary Education, Prof. Kwesi Yankah, the two Hon. Deputy Ministers for Education, Dr. Yaw Osei Adutwum and Mrs Gifty Twum-Ampofo, officials from the Ministry of Education, the Office of the Attorney-General, and representatives of the underlisted Agencies under the purview of the Ministry of Education were present to assist the Committee in its deliberations:

- i. National Council for Tertiary Education
- ii. National Accreditation Board
- iii. Council for Technical and Vocational Education and Training
- iv. National Board for Professional and Technician Examinations
- v. National Teaching Council
- vi. National Inspectorate Board
- vii. National Council for Curriculum and Assessment

1.3 The Committee is grateful to the Hon. Minister for Education, the Hon. Minister of State, the two Hon. Deputy Ministers for Education, officials from the Office of the Attorney-General, and Agencies of the Ministry of Education for attending upon the Committee.

2.0 **REFERENCE DOCUMENTS**

The Committee made reference to the following documents during its deliberations:

- i. The 1992 Constitution of Ghana.
- ii. The Standing Orders of the Parliament of Ghana.
- iii. The Professional Bodies Registration Act, 1973 (N.R.C.D. 143).
- iv. The Education Act, 2008 (Act 778).
- v. The National Council for Tertiary Education Act, 1993 (Act 454).
- vi. The National Accreditation Board Act, 2007 (Act 744).
- vii. The Council for Technical and Vocational Education and Training Act, 2006 (Act 718).
- viii. The State Lands Act, 1962 (Act 125).

3.0 **BACKGROUND**

The Bill seeks to establish regulatory bodies to regulate the education sector in the country effectively and efficiently. At the moment, the various institutions that carry out regulatory functions within the education sector, exist as individual agencies under the Ministry of Education. These Regulatory Agencies, namely the National Council for Tertiary Education (NCTE), the National Accreditation Board (NAB), the Council for Technical and Vocational Education and Training (COTVET), the National Teaching Council (NTC), the National Inspectorate Board (NIB), and the National

Council for Curriculum and Assessment (NaCCA) perform their respective functions under separate mandates which are not well harmonised - a development that creates a gap in the co-ordination of functions of the respective Agencies for the achievement of the overall objective of effectively regulating the education sector to engender better outcomes.

The Bill therefore has the objective of addressing this challenge by re-aligning the functions of these entities and re-structuring them into five bodies with mandates that adequately empower them to effectively regulate the education sector in a well co-ordinated manner.

4.0 **PURPOSE OF THE BILL**

The Bill seeks to establish regulatory bodies to regulate the education sector in the country effectively and efficiently. To this end, the Bill seeks to establish the Ghana Tertiary Education Commission, the Commission for Technical and Vocational Education and Training, the National Teaching Council, the National Schools Inspectorate Authority, and the National Council for Curriculum and Assessment.

5.0 **HIGHLIGHTS OF THE BILL**

5.1 The Bill is made up of one hundred and twenty-seven (127) Clauses and divided into six Parts as follows:

- i. **Part one (Clauses 1 to 40)** restructures and merges the National Council for Tertiary Education and the National Accreditation Board into one institution to be known as the Ghana Tertiary Education Commission.

- ii. **Part Two (Clauses 41 to 57)** transforms the Council for Technical and Vocational Education and Training, the National Board for Professional and Technician Examinations and the National Vocational Training Institute into a single entity to be designated as the National Commission for Technical and Vocational Education and Training.
- iii. **Part Three (Clauses 58 to 86)** of the Bill provides for the establishment of the National Teaching Council
- iv. **Parts Four and Five (Clauses 87 to 112)** establish the National Inspectorate Authority and the National Council for Curriculum and Assessment respectively.
- v. **Part Six (Clauses 113 to 127)** deals with administrative, financial and miscellaneous provisions relating to the five regulatory entities.

5.2 The Bill further contains three Schedules as follows:

- i. **First Schedule** specifies the information required for an application for Accreditation.
- ii. **Second Schedule** provides for a sample Accreditation Certificate, and a Certificate of Institutional Accreditation.
- iii. **Third Schedule** provides a list of Tertiary Technical and Vocational Training Institutions, their location, and their corresponding Ministries.

6.0 **OBSERVATIONS**

6.1 Ghana Tertiary Education Commission

6.1.1 The Education Regulatory Bodies Bill, merges the National Council for Tertiary Education and the National Accreditation Board into a single body designated as the Ghana Tertiary Education Commission. The Commission's primary mandate will be to promote tertiary education in the country, including advancing knowledge through teaching and research, and building the requisite human capital for national development.

6.1.2 The Committee observed that the merging of the two institutions, which hitherto had similar mandates, will enable government harmonise their roles under one Commission to engender efficiency and effective supervision of tertiary institutions.

6.2 Commission for Technical and Vocational Education and Training

6.2.1. The Council for Technical and Vocational Education and Training (COTVET), the National Board for Professional and Technician Examinations (NAPTEX) and the National Vocational Training Institute (NVTI) have been consolidated into one body to be known as the Commission for Technical and Vocational Education and Training.

The Commission is mandated to regulate, promote and administer Technical and Vocational Education and Training (TVET), in all forms. In pursuance of this, the Commission will, among others, formulate national policies for skills development across the broad spectrum of pre-tertiary and tertiary education, including formal, informal and alternative education.

6.2.2 The Committee noted that the Commission, will have the responsibility of co-ordinating, harmonising and supervising the activities of public and private providers of TVET in the country. The measure is expected to promote collaboration among the various providers within the TVET circles and facilitate the development of common standards and guidelines to ensure quality delivery of TVET education.

6.2.3 The Committee was happy to note that as part of measures at improving the image and acceptability of TVET qualifications on the Job Market, the Commission will work seriously to finalise a National Qualification Framework for TVET. Over the years, the absence of such framework has undermined the acceptability of TVET programmes in the country.

6.2.4 The development of a nationally accepted qualification framework for TVET by the Commission, will go a long way to standardise TVET Education and thus promote the recognition and placement of TVET graduates. The framework could serve as a useful mechanism for changing the negative perception about TVET Education and help to attract more students into TVET programmes.

6.2.5 The Committee also observed that the National Commission for Technical and Vocational Education and Training will serve as a one-stop entity for Technical Education. All the individual institutions under the Commission will follow the competency-based approach to teaching and learning and issue certificates consistent with the TVET Qualification Framework and under the authority of the Commission. The measure will harmonise the various certificates issued to TVET graduates and improve credibility and acceptability of TVET qualifications.

6.3 National Teaching Council

6.3.1 According to Clause 59 of the Bill, the National Teaching Council has the responsibility of regulating the teaching profession at the pre-tertiary and tertiary levels. It will promote quality assurance standards within the teaching profession in pre-tertiary and tertiary institutions through the institution of a licensure regime for teachers who have graduated from recognised teacher training programmes. To this end, The Council will provide, maintain, promote and periodically review standards of professional practice and ethical conduct of teachers.

6.3.2 The Committee noted that Clause 67(1) of the Bill restrains an individual from practicing as a teacher unless that individual is registered as a teacher. This will therefore require individuals to register with the Council, undertake an examination to obtain the licensure to be recognised as a teacher. The Committee was informed that arrangements have been made to cater for both newly trained teachers and those already in the teaching profession.

6.3.3 The Committee observed that the work of the Council, including the licensure regime will contribute significantly to inject more professionalism into the teaching profession at the pre-tertiary level. In addition to professional teaching certificates, the licensure regime is expected to take the teaching profession further to a level, where the individual teacher will be required to meet and maintain certain professional and ethical standards.

6.3.4 The Committee noted that the mandate of the National Teaching Council is limited to the pre-tertiary education level. However, in order to ensure an effective linkage between the work of the Council and

teacher training in general, provision has been made to include representatives from universities responsible for academic training of teachers, as well as representatives of Teachers' Associations on the Governing Board of the Council.

This measure will help create synergies between the Council and other stakeholders, to promote a wholistic and co-ordinated approach to maintaining standards and professionalism in teaching.

6.3.5 It came to the attention of the Committee that currently, graduates from the Colleges of Education write their licensure exams immediately upon graduation, prior to being issued with a provisional license to practice as a teacher.

The Committee observed that the current practice could deny newly trained teachers the opportunity to gather the relevant on-the-field experience to respond practically to professional standards that the licensure regime seeks to achieve. The Committee therefore recommends that newly trained teachers be granted provisional license to practice under supervision, and be given the opportunity to obtain their licensures within a period of two years.

6.4 National Schools Inspectorate Authority

6.4.1 Clause 88 of the Bill mandates the National Inspectorate Authority to promote quality education delivery in public and private pre-tertiary institutions. To achieve this objective, the Authority will be responsible for developing, publishing, promoting and enforcing educational standards that ought to be followed by all pre-tertiary institutions in the country, whether public or private.

6.4.2 The Committee noted that the Authority will have as part of its functions, the publication and enforcement of School Effectiveness Standards (SES). The SES will serve as an important benchmark for measuring the effectiveness of educational institutions at the pre-tertiary level. The measure will also create the needed competitive environment for individual schools to aspire to higher academic and educational management standards.

The Committee acknowledged that the work of the Authority will go a long way to improve inspection and supervision of schools for effective teaching and learning.

6.5 National Council for Curriculum and Assessment

6.5.1 Per Clause 102 of the Bill, the National Council for Curriculum and Assessment (NaCCA) has a primary responsibility of developing national curriculum and assessment standards for pre-tertiary educational institutions other than technical and vocational education and training institutions.

6.5.2 The Committee was informed that in pursuance of this objective, NaCCA will develop a National Curriculum Framework that defines a set of standards for curriculum development. The framework is expected to specify the specific content standards that the child should demonstrate at every level, and serve as the guideline for institutions and private entities to develop their own curriculum.

The Committee however expressed concern that if private entities/institutions are allowed to develop their own curriculum, it could

result in a situation where standards and uniformity of content could be compromised.

The Committee therefore strongly recommended the need to ensure that NaCCA remains the only entity vested with the responsibility of developing curriculum for all institutions in the country.

6.5.3 The Committee observed that the inclusion of representatives from institutions such as the National Teaching Council, Ghana Tertiary Education Commission, National Commission for Technical and Vocational Education and Training, National Inspectorate Authority and the Ghana Book Development Council on the Governing Body NaCCA would enable various key stakeholders collaborate in the development of curriculum that would be more reflective of the needs and objectives of the nation, as far as education is concerned.

7.0 PROPOSED AMENDMENTS

The Committee, taking into consideration, the observations made during its deliberations, proposes the amendments in the attached Appendix for consideration and adoption by the House.

8.0 CONCLUSION AND RECOMMENDATION

The Education Regulatory Bodies Bill clearly specifies and defines the role of each of the regulatory institutions, but with a common objective of effectively and efficiently regulating the education sector of the country. The Bill minimises the duplication of functions among the various bodies, whilst promoting effective collaboration for the achievement of the object of the Bill.

Having thoroughly examined the Bill, the Committee is of the view that its passage into law will go a long way to help the Ministry of Education effectively and efficiently regulate the education sector to ensure quality delivery of service.

The Committee therefore recommends to the House to adopt its Report and pass the Education Regulatory Bodies Bill, 2019 into law.

Respectfully submitted.



.....
WILLIAM AGYAPONG QUAITTOO (HON.)
(CHAIRMAN, COMMITTEE ON
EDUCATION)



.....
ABIGAIL ABA ANSO
(CLERK TO THE COMMITTEE)

MARCH 2020

APPENDIX

PROPOSED AMENDMENTS

- i. **Clause 12** - **Amendment proposed** - Sub-clause (1), line 1, *delete* all the words after “members” and *insert* “or non-members of the Board or both members and non-members to perform a function”
- ii. **Clause 12** - **Amendment proposed** - Sub-clause (2), line 1, after “member” *insert* “or non-member”
- iii. **Clause 30** - **Amendment proposed** - Sub-clause (7), line 4, *delete* “not” before “imprisonment” and *insert* “not” before “less”
- iv. **Clause 36** - **Amendment proposed** - Sub-clause (1), opening phrase, *delete* “or an organisation “that” and *insert* “who”
- v. **Clause 36** - **Amendment proposed** - Sub-clause (1), paragraph (g), line 1, *delete* “or organization”
- vi. **Clause 36** - **Amendment proposed** - Sub-clause (2) paragraph (b), line 3, *delete* “sanctioned’ ” and *insert* “punished”
- vii. **Clause 36** - **Amendment proposed** - Sub-clause (2) paragraph (b), sub-paragraph (ii), line 3, *delete* “sanctions” and *insert* “punishment”
- viii. **Clause 41** - **Amendment proposed** - Sub-clause (3), lines 1 and 2, *delete* “immovable property, the immovable property” and *insert* “land, the land”

- xix. **Clause 89** - **Amendment proposed** - Sub-clause (3), paragraph (b), line 1, delete “close down” and insert “recommend the closure of”
- xx. **Clause 90** - **Amendment proposed** - Sub-clause (1), paragraph (e), delete and insert the following:

“one representative of the Association of Private Schools on rotational basis”
- xxi. **Clause 101** - **Amendment proposed** - Sub-clause (3), lines 1 and 2, *delete* “immovable property, the immovable property” and *insert* “land, the land”
- xxii. **Clause 104** - **Amendment proposed** - Sub-clause (1), paragraph (b), sub-paragraph (vii), *delete* the entire sub-paragraph

- ix. **Clause 45** - **Amendment proposed** - Sub-clause (1), line 1, *delete* all the words after “members” and *insert* “or non-members of the Board or both members and non-members to perform a function”

- x. **Clause 45** - **Amendment proposed** - Sub-clause (2), line 1, after “member” *insert* “ or non-member”

- xi. **Clause 52** - **Amendment proposed** - Sub-clause (2), line 2, after “penalty” *insert* “of not less than one thousand penalty units and not more than” and *delete* “of”

- xii. **Clause 52** - **Amendment proposed** - Interpretation of “Recognition of Prior Learning”, line 3, *delete* “though” and *insert* “through”

- xiii. **Clause 58** - **Amendment proposed** - Sub-clause (3), lines 1 and 2, *delete* “immovable property, the immovable property” and *insert* “land, the land”

- xiv. **Clause 78** - **Amendment proposed** - Sub-clause (1), line 2, *delete* “one month” and *insert* “thirty days”

- xv. **Clause 79** - **Amendment proposed** - Sub-clause (1), line 2, *delete* “person” and *insert* “teacher”

- xvi. **Clause 82** - **Amendment proposed** - Paragraph (a), line 1, *delete* “qualified” and *insert* “registered”

- xvii. **Clause 87** - **Amendment proposed** - Sub-clause (3), lines 1 and 2, *delete* “immovable property, the immovable property” and *insert* “land, the land”

- xviii. **Clause 89** - **Amendment proposed** - Sub-clause (2), paragraph (d), *delete* “licence” and *insert* “register”