

ORDINANCE OF THE CHIEF PLEAS OF SARK

Ordinance No. X of 2019

The Education (Sark) (Amendment)

Ordinance, 2019

THE CHIEF PLEAS OF SARK, in pursuance of their Resolutions of the 16th January and 19th June 2019, and in exercise of the powers conferred on them by section 1 of the Education (Sark) Law, 2001^a, hereby order:-

Amendment of 2003 Ordinance.

1. The Education (Sark) Ordinance, 2003 ("the Ordinance") is amended as follows.

2. In section 1 -

(a) for subsection (2) substitute the following subsection -

"(2) The constitution of the Committee shall be as Chief Pleas resolve from time to time.", and

(b) omit subsections (3) to (5).

3. For section 2(1)(a) and (b) substitute the following paragraphs -

^a Order in Council No. XIII of 2001; amended by the Education (Sark) (Amendment) Law, 2003 (No. IV of 2004) and the Education (Sark) (Amendment) Ordinance, 2018 (No. IX of 2018).

- "(a) full-time education, including a school, ancillary facilities and equipment, suitable for children who will, during the relevant school term, have attained the age of five years up to and including children who will, during the relevant school year, have attained the age of thirteen years (hereinafter referred to as "**children aged 5-13**"), and

- (b) such support, financial or otherwise, as the Committee thinks fit in respect of the provision of full-time education suitable for children who will, during the relevant school year, have attained the age of fourteen years up to and including children who will, during the said school year, have attained the age of sixteen years (hereinafter referred to as "**senior school children**", and "**senior school child**" shall be construed accordingly)."

4. In section 2 -

- (a) in subsection (3) for the word "The" where first appearing substitute "Except as provided by subsections (3A) and (3B), the", and

- (b) immediately after subsection (3), insert the following subsections -

"(3A) The Committee may approve one or more schools in Guernsey for the purposes of enabling senior school children to attend such schools, and thereby receive an efficient education.

(3B) Where the Committee has approved a school in Guernsey under subsection (3A), it shall -

(a) in consultation with the parents of the children in question, arrange appropriate board and lodging in Guernsey, and transport to and from Guernsey, for and in respect of senior school children attending the school, and

(b) provide such financial assistance to the parents of such children in respect of their attendance at the school as it thinks fit, and such assistance may include the funding of tuition and exam fees, in whole or in part."

5. In section 3, immediately after subsection (2), insert the following subsection -

"(3) Where a parent of any senior school child elects to cause that child to receive home education, the Committee shall provide such support as it thinks fit for an efficient system of home education for that child, which may include, at the discretion of the Committee and as specified in an annual individual education plan for each child agreed between the child's parent and a representative of the Committee -

(a) online tuition,

- (b) funding of exam fees (in whole or in part), and
- (c) the provision of supervised premises for independent study."

6. After section 3, insert the following section -

"Fees for senior school children.

3A. (1) The Committee may from time to time prescribe fees for the purpose of recovering all or some of the costs of providing -

- (a) board, lodging and transport arranged by the Committee under section 2(3B)(a), and
- (b) supervised premises for independent study.

(2) The Committee shall prescribe fees under this section by publishing them on the website of the Chief Pleas, and when doing so it may also prescribe -

- (a) the period for payment of such fees before interest accrues thereon,
- (b) the interest payable in the event of late payment of fees, and
- (c) the persons by whom such fees and interest are to be payable.

(3) The Committee will review the level of fees prescribed under this section at least once a year, and shall present for the approval of Chief Pleas at its Michaelmas meeting a report on fees charged."

7. In section 4 -

(a) in the section heading, after the word "attendance" insert the words "and senior school education",

(b) in subsection (2), after the words "receiving such an education" substitute the following paragraphs for the remainder of the subsection -

"(a) in relation to children aged 5-13, the Committee shall cause an order (hereinafter referred to as a "**school attendance order**"), in such form as the Committee may prescribe, to be served upon the parent requiring him within 7 days of service of the school attendance order to cause the child to become a registered pupil at the School, and

(b) in relation to senior school children, the Committee shall cause an order (hereinafter referred to as a "**senior school education order**"), in such form as the Committee may prescribe, to be served upon the parent requiring him within 14 days of service of the senior school education order to make suitable provision for the child's education to the satisfaction of the

Committee.",

(c) in subsection (3), after the words "school attendance order" insert the words "or a senior school education order", and

(d) in subsection (5) after the words "school attendance order" insert the words "or senior school education order".

8. In section 5, omit the words "of compulsory school age".

9. In section 6(4)(b), for the word "President" substitute "Chairman".

10. In section 9 (Interpretation) at the appropriate places insert-

""**children aged 5-13**": see section 2(1)(a),",

""**Guernsey**" means the island of Guernsey,",

""**home education**" means education which is provided on the island otherwise than by regular attendance at the School or an independent school,",

""**online tuition**", in relation to any senior school child, means tuition suitable to that child's age, ability and aptitude, and any special educational needs which he may have, provided and delivered over the internet,",

""**senior school child**" and "**senior school children**": see section 2(1)(b)."

Citation.

11. This Ordinance may be cited as the Education (Sark) (Amendment) Ordinance, 2019.