



PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA

SCHOOL DEVELOPMENT BOARDS
ACT, No. 8 OF 1993

[Certified on 26th February, 1993]

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**School Development Boards
Act, No. 8 of 1993**

[Certified on 26th February, 1993]

L. D.—O. 104/92.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF SCHOOL
DEVELOPMENT BOARDS; AND FOR MATTERS CONNECTED THERE-
WITH OR INCIDENTAL THERETO

BE it enacted by the Parliament of the Democratic
Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the School Development
Boards Act No. 8 of 1993, and shall come into operation
on such date as the Minister may appoint by Order
published in the Gazette (hereinafter referred to as the
"appointed date").

Short title
and date of
operation.

2. There shall be established, with effect from the
appointed date, a School Development Board (hereinafter
referred to as a "Board") for every school.

Establish-
ment of
School
Development
Boards.

3. A Board established for a school shall consist of—

Constitution
of School
Development
Boards.

(a) the following *ex officio* members, namely, the
Principal of that school, who shall be the Chairman
of the Board, and the Senior Deputy Principal of
that school;

(b) the following other members—

(i) three teachers of that school, elected by secret
ballot by the teachers teaching in that school
at a meeting of such teachers summoned
for the purpose by the Principal or in his
absence, the Senior Deputy Principal of that
school, or where the number of teachers
teaching in that school is three or less than
three, all the teachers teaching in that
school. Where the number of teachers so
elected is less than three, the other members
of the Board shall elect or nominate to the
Board such number of members as are
required to make up the difference between
three and the number of teachers so elected,
from among the parents of pupils of that
school, past pupils of that school and
wellwishers of the school community,
endeavouring to ensure, as far as practicable,
that all such categories are equally re-
presented on the Board;

(ii) three parents of pupils presently studying in that school, elected by secret ballot at a meeting of such parents summoned for the purpose by the Principal or in his absence, the Senior Deputy Principal, of that school. A legal guardian of a pupil studying in that school shall be deemed to be a parent of that pupil for the purpose of this section ;

(iii) three past pupils who are members of the Past Pupils Association of that school, elected by secret ballot at a general meeting of the Past Pupils Association, or where there is no such Past Pupils Association of that school, three past pupils of that school elected by secret ballot at a meeting of such past pupils summoned for the purpose by the Principal or in his absence, the Senior Deputy Principal, of that school. Where there are no such past pupils or the number of past pupils present are inadequate for the purpose of holding an election, the other members of the Board shall elect or nominate to the Board, three members from among the teachers of the school, parents of pupils of that school and the wellwishers of the school community, endeavouring to ensure, as far as practicable, that all such categories are equally represented on the Board ;

(iv) a person elected by the members of the Board to represent the wellwishers of the school community.

In electing or nominating members to a Board established that school shall endeavour to ensure, that as far as the parents of the pupils of that school and past pupils of that school shall endeavour to ensure, that as far as practicable, both sexes are equally represented on the Board.

A member elected or nominated under this paragraph, is hereinafter, referred to as an "elected member".

4. A person shall be disqualified from being elected or nominated or from continuing as a member of a Board established for a school if he—

Disquali-
fication for
membership.

- (a) is a Member of Parliament, a Member of a Provincial Council, or a member of a local authority;
- (b) is under eighteen years of age;
- (c) is under any law in force in Sri Lanka or any other country, found or declared to be of unsound mind;
- (d) is a person who, having been declared an insolvent, or a bankrupt under any law in force in Sri Lanka or in any other country, is an undischarged insolvent or bankrupt;
- (e) is a person on whom a sentence of imprisonment (including a suspended sentence) has been imposed by any court in Sri Lanka or any other country; or
- (f) is registered as a contractor under the Ministry of the Minister or the Ministry of the Minister in charge of the subject of Higher Education or the Ministry of the Provincial Minister for the purpose of undertaking contracts for the construction of buildings, or the supply of equipment or the provision of services or is the parent, spouse, brother or sister of such person or is a person who is employed by, or has an interest in, a company or a partnership registered with the Ministry of the Minister or the Ministry of the Minister in charge of the subject of Higher Education or the Ministry of the Provincial Minister for the purpose of undertaking contracts for the construction of buildings, or the supply of equipment or the provision of services or is a parent, spouse, brother or sister of such person.

5. (1) An elected or nominated member of a Board or sub-committee established or constituted for a school may resign his office at any time by a letter addressed to the Principal or the Senior Deputy Principal of that school.

Tenure of
office of
elected or
nominated
members of
a Board
or sub-
committee.

(2) If an elected or nominated member of a Board or sub-committee established or constituted for a school becomes subject to any of the disqualifications set out in section 4 or is guilty of conduct detrimental to the welfare

of the school, the teachers, parents and past pupils of such school may remove such member from office by a resolution passed at a meeting of the teachers, parents and past pupils of such school summoned for the purpose by the Principal, at the request of at least ten teachers, parents and past pupils, in the aggregate.

(3) An elected or nominated member of a Board or sub-committee established or constituted for a school, who on the thirty-first day of December in any year has failed to attend at least one-half of the number of meetings held by that Board or sub-committee, as the case may be, during the period of twelve months immediately preceding that date or during such part of the period of twelve months, immediately preceding that date, as he was a member of such Board or sub-committee, as the case may be, shall unless he was absent from any such meeting on the ground of ill health or with the leave of such Board or sub-committee first obtained, be deemed to have vacated his office as member of such Board or sub-committee, as the case may be, with effect from the aforesaid thirty-first day of December of that year.

(4) An elected or nominated member of a Board or sub-committee established or constituted for a school, elected or nominated by virtue of his being a teacher of the school, shall vacate office as a member of such Board or sub-committee, as the case may be, upon his ceasing to be a teacher of such school.

(5) An elected or nominated member of a Board or sub-committee established or constituted for a school, elected or nominated by virtue of his being a parent or guardian of a pupil of that school shall vacate office as a member of such Board or sub-committee, as the case may be, upon his child or ward or the last of his children or wards ceasing to be pupils of such school.

(6) In the event of the vacation of office of an elected or nominated member of a Board or sub-committee established or constituted for a school by reason of death, removal from office or other cause, another person may be nominated by the Board having regard to the provisions of section 3, or section 2, as the case may be, to act in place of

that member. Any person nominated in place of a member vacating office, shall hold office during the unexpired part of the term of office of the member whom he succeeds.

(7) If any elected or nominated member of a Board or sub-committee established or constituted for a school is temporarily unable to discharge the functions of his office during any period due to ill health or other infirmity or absence from Sri Lanka, another member may be nominated by the Board, having regard to the provisions of section 8 or section 9, as the case may be, to act in his place during such period.

(8) Subject to the preceding provisions of this section, the term of office of an elected or nominated member of a Board or sub-committee established or constituted for a school shall be three years, and such member shall be eligible for re-election or re-nomination, as the case may be.

(9) No act or decision or proceeding of a Board or sub-committee established or constituted for a school shall be deemed to be invalid by reason only of the existence of a vacancy among its members or any defect in the election or nomination of a member thereof.

6. (1) A Board established for a school shall meet at least once in every two months.

Meetings of
the Board.

(2) The Chairman of such Board shall preside at every meeting of such Board. In the absence of the Chairman from any meeting of the Board, the Senior Deputy Principal shall preside at such meeting and in the absence of both the Principal and the Senior Deputy Principal from any meeting of the Board, a member nominated by the Principal shall preside at such meeting.

(3) The quorum for any meeting of such Board shall be seven inclusive of the person presiding at such meeting.

(4) Any question arising for decision at any meeting of such Board shall be decided by a majority of the votes of the members present and voting. In the event of an equality of votes, the Chairman of such Board or the member presiding at such meeting shall, in addition to his vote, have a casting vote.

(5) A special meeting of such Board shall be summoned by the Secretary of such Board appointed under section 7 at the written request of at least five members of such Board, within one week of such request being made to the Chairman of such Board.

(6) Subject to the provisions of this Act, such Board may regulate the procedure with regard to its meetings and the transaction of business at such meetings.

**Secretary
of a Board
established
for a school.**

7. There shall be a Secretary for every Board established for a school, elected by such Board. A teacher of a school shall be disqualified from being elected as the Secretary of the Board established for that school. The Secretary shall, when required to do so by the Chairman of such Board, summon all meetings of the Board and shall keep a record of the minutes of the meetings of such Board.

**Functions
of a Board.**

8. (1) The functions of a Board established for a school shall be to advise and assist the Principal or in his absence, the Senior Deputy Principal, of such school, in matters connected with the development of the school and—

- (a) to assess and assist in the current needs and performance of the school, to recommend relevant improvements to academic curricula and modes of teaching to the National Institute of Education and to promote greater collaboration among parents, teachers and students of the school;
- (b) to promote sports and recreational, literary, aesthetic, social, vocational and other extra curricular activities in the school;
- (c) to promote cultural, religious (including inter-cultural and inter-religious) and moral activities in the school;
- (d) to assist in the development and maintenance of the infrastructure of the school;
- (e) to assist in the improvement and expansion of facilities of the school, with regard to libraries, educational equipment and other aids to learning;
- (f) to ascertain the requirements of the school for school books, mid-day meal stamps, student uniforms and to effect the distribution thereof;

- (g) to foster and strengthen the welfare activities of the school community, with a view to preserving its identity and traditions ;
- (h) to interact productively with the media so as to engender a cohesive relationship between the school, on the one hand and the community and religious institutions on the other ;
- (i) to assist in the maximum utilization by the school, of state allocations and contributions from the community, and to take necessary steps for the proper disbursement thereof ;
- (j) to assist in the development of the personality of the pupils of the school with a view to inculcating in them, a spirit of caring for, and sharing with the members of the school community, team work and organizational ability.

(2) Nothing in subsection (1) shall be deemed to authorize a Board established for a school, to require the Principal of that school, to make any particular decision relating to any academic, administrative, personnel or disciplinary matter of the school.

9. (1) Subject to the provisions of subsection (6) there shall be constituted for every school, the sub-committees specified to the Schedule to this Act. The function of each sub-committee so constituted shall be to make recommendations to the Board established for that school in respect of the matters assigned to that sub-committee by that Schedule.

Sub-
committees.

(2) Each sub-committee constituted for a school shall consist of at least three members and shall include as far as practicable a teacher of that school, a parent of a pupil of that school and a past pupil of that school.

(3) Save as provided in subsection (7), a member of a Board established for a school shall not be qualified to be elected or nominated as a member of a sub-committee constituted for that school under this section.

(4) The members of each sub-committee shall be elected at the meetings held respectively, under sub-paragraphs (i), (ii) and (iii) of paragraph (c) of section 3 for the election of members for the Board established for that school.

(5) The Board established for any school may increase the membership of any sub-committee constituted for that school if it is of the view that the activities of such sub-committee are such that it requires additional members. In increasing such membership, the Board shall endeavour to ensure that the teachers of that school, the parents of the pupils of that school and the past pupils of that school are equally represented as far as practicable on such sub-committee.

(6) Where there is an insufficient number of persons available to constitute any sub-committee for a school or where the activities of a school are such that they do not require the constitution of all the sub-committees specified in the Schedule to this Act, the Board established for that school may constitute such number of sub-committees as are commensurate with the activities of the school, and shall re-assign the functions of the sub-committees specified in the Schedule to this Act, among the sub-committees so constituted.

(7) A member of the Board established for a school, nominated by such Board, shall preside at every meeting of a sub-committee constituted for that school.

(8) A sub-committee constituted for a school shall meet at least once a month.

(9) The quorum for any meeting of a sub-committee constituted for a school shall be three inclusive of the Chairman.

(10) All recommendations and decisions of any sub-committee constituted for a school shall be submitted to the Board established for that school for its consideration.

**School
Development
Fund.**

10. (1) Every Board established for a school shall maintain a Fund to be called the School Development Fund.

(2) There shall be paid into the School Development Fund maintained by such Board, all such monies as may be received by such Board from the Government or any Provincial Council, all monies being levied by such school as facilities fees prior to the appointed date all monies collected from projects held in aid of such school and such voluntary contributions as may be received by such Board from wellwishers of the school.

(3) All such monies and contributions paid to the School Development Fund maintained by such Board under sub-section (2) shall be deposited in any licensed Commercial Bank within the meaning of the Banking Act, No. 30 of 1963, in the name of such Board.

(4) A Board established for a school may, subject to the guidelines, if any, laid down by the Appropriate Educational Authority, utilize the monies in the School Development Fund maintained by it for the development of that school.

(5) Every contribution made to the School Development Fund maintained by such Board shall be deemed for the purposes of the Inland Revenue Act, No. 23 of 1979, to be a donation made in money to a Fund established by the Government.

11. (1) There shall be a Treasurer for every Board established for a school, elected by the Board, from among the members of that Board elected under sub-paragraph (i) of paragraph (b) of section 3.

*Treasurer of
the Board.*

(2) The Treasurer shall cause proper books of accounts to be kept of the receipts and expenditure of the School Development Fund maintained by the Board under section 10, and of all other transactions of such Fund; and all such books of accounts shall be open for inspection by the officers of the Ministry of the Minister or the Department of Education or by the officers of the Ministry of the Provincial Minister or Provincial Department of Education.

(3) All cheques for the withdrawal of monies to defray any expenditure approved by a Board established for a school shall be signed by the Treasurer and the Chairman or the Secretary of such Board.

(4) All accounts of the School Development Fund maintained by the Board under section 10 shall be audited annually by an Auditor appointed by such Board. The accounts of such Fund shall be submitted to such Auditor by the Treasurer of such Board within two months of the close of the calendar year to which the audit relates and such Auditor shall submit a report relating to such audit to the Board within four months of the close of that calendar year and the Board shall submit such audited accounts within a month of the receipt thereof by the Board to the Appropriate Educational Authority.

(5) Nothing in this section shall be read or construed as derogating from the powers conferred on the Auditor-General by any written law.

**Dissolution
of Board and
reconstitution.**

12. (1) Where the Appropriate Educational Authority is satisfied that a Board established for a school under section 3 is not discharging the functions assigned to it by this Act or is not effectively discharging such functions, he may, by Order published in the *Gazette*, dissolve such Board and shall cause a new Board to be constituted for that school in accordance with the provisions of section 3.

(2) In the event of a dissolution of a Board established for a school, the Provincial Director of Education in the case of a specified school and the Divisional Deputy Director of Education in the case of any other school, shall discharge the functions assigned to such Board by this Act, until such time as a new Board is constituted for such school.

Regulations.

13. (1) The Minister may make regulations for the purpose of carrying out or giving effect to the principles and provisions of this Act.

(2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation on the date of such publication or on such later date as may be specified in such regulation.

(3) Every regulation made by the Minister shall, as soon as convenient after its publication in the *Gazette*, be brought before Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of disapproval, but without prejudice to anything previously done thereunder.

(4) Notification of the date on which any regulation made by the Minister is so deemed to be rescinded shall be published in the *Gazette*.

**Transitional
provision.**

14. (1) Where there is on the appointed date in any school, a School Development Board and sub-committees established or constituted in a manner similar to that provided in this Act and such Boards or sub-committees are recognized in writing by the Appropriate Educational Authority, such Boards and sub-committees shall be deemed to have been established and constituted under the provisions of this Act.

(2) Every member of a Board or sub-committee recognized under subsection (1) and holding office on the appointed date, shall continue to hold office in such Board or sub-committee, as the case may be, for a period of three years calculated, from the appointed date.

(3) The Appropriate Educational Authority may give such directions, not inconsistent with the provisions of this Act, as appear to him to be necessary or expedient to enable any such Board or sub-committee to discharge the functions assigned to a Board or sub-committee by this Act.

15. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text
to prevail
in case of
inconsistency.

16. In this Act, unless the context otherwise requires—
"Appropriate Educational Authority" in relation to—

Interpre-
tation.

(a) a specified school, means the Secretary to the Ministry of the Minister or any officer authorized in writing by such Secretary; and

(b) any other school, means the Secretary to the Ministry of the Provincial Minister or any officer authorized in writing by such Secretary;

"Divisional Deputy Director of Education" means the officer in charge of Education in a Division of a Province, under the Provincial Director of Education;

"local authority" means any Municipal Council, Urban Council or Pradeshiya Sabha and includes any authority created and established by or under any law to exercise, perform and discharge powers, duties and functions corresponding to or similar to, the powers, duties and functions exercised, performed and discharged by any such Council or Sabha;

"Minister" means the Minister appointed under Article 44 of the Constitution to whom the subject of Education has been assigned;

"Provincial Council" means a Provincial Council established by Article 154A of the Constitution;

"Provincial Director" means the officer in charge of Education in a Province;

"Provincial Minister" means the Minister of the Board of Ministers of a Province to whom the subject of Education has been assigned ;

"Senior Deputy Principal" includes a member of the teaching staff of a school who is authorized by the Principal of that school or appointed by the Appropriate Educational Authority, to perform the duties of the Principal of that school, in the absence of the Principal ;

"school" means a State school ;

"specified school" means a school classified as a National School by the Secretary to the Ministry of the Minister.

SCHEDULE (Section 9)

- (a) Educational Development Sub-Committee
To make recommendations on matters referred to in section 8(a).
- (b) Co-curricular Activities sub-committee
To make recommendations on matters referred to section 8 (b).
- (c) Moral Development sub-committee
To make recommendations on matters referred to in section 8 (c).
- (d) Physical Resources sub-committee
To make recommendations on matters referred to in section 8(d).
- (e) Library and Educational Equipment sub-committee
To make recommendations on matters referred to in section 8(e).
- (f) School books, Mid-day Meal and Uniforms sub-committee
To make recommendations on matters referred to in section 8(f).
- (g) Welfare and Community Relations sub-committee
To make recommendations on matters referred to in section 8(g).
- (h) Communications sub-committee
To make recommendations on matters referred to in section 8(h).
- (i) Finance sub-committee
To make recommendations on matters referred to in section 8(f).
- (j) Student Personality Development sub-committee
To make recommendations on matters referred to in section 8(f).

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