

1.0 Introduction

The National Curriculum Development Centre [Amendment] Bill, 2020 was tabled for first reading on 24th June, 2020 by the Minister of State for Education in charge of Higher Education, Hon. Musingo John Chrysostom, and was referred to the Committee on Education and Sports in accordance with Rule 128 of the Rules of Procedure of Parliament.

2.0 Object of the Bill

The object of the Bill is;

- (a) to amend the National Curriculum Development Centre Act in relation to the establishment, constitution and functions of the National Curriculum Development Centre;
- (b) to broaden the representation of the education sector in curriculum development by including new stakeholders to the Governing Council of the Centre;
- (c) to remove from the membership of the Governing Council the institutions that are no longer in existence;
- (d) to remove the limitations on eligibility for appointment of the Chairperson of the Council; and
- (e) to harmonise the financial year of the Centre to the financial year of Government.

3.0 Methodology

In considering the National Curriculum Development Centre [Amendment] Bill, 2020, the Committee

- (a) held meetings and received memoranda from the following stakeholders;

- (i) The Minister of Education and Sports
- (ii) The National Curriculum Development Centre [NCDC]
- (iii) The Uganda National Examinations Board [UNEB]
- (iv) The Uganda Business and Technical Examinations Board [UBTEB]
- (v) The Uganda National Council for Higher Education [NCHE]
- (vi) The Vice Chancellors' Forum

- (vii) The Association of Uganda Secondary School Head Teachers
 - (viii) The Federation of Uganda Employers [FUE]
 - (ix) Education Accelerators Limited [EAL] [*a Consortium of schools that use alternative curricula – the Accelerated Christian Education (ACE) Curriculum, used in over 100 countries the world over*]
- (b) called for submission of memoranda on the National Curriculum Development Centre (Amendment) Bill, 2020 through a public notice that was placed in the New Vision and Daily Monitor of Monday 24th August, 2020; and
- (c) scrutinized written memoranda from the Institute of Certified Public Accountants of Uganda [CPA-Uganda] who responded to the public notice that was placed in the New Vision and Daily Monitor of Monday 24th August, 2020 that called interested members of the general public to submit memoranda on the National Curriculum Development Centre [Amendment] Bill, 2020.

4.0 Stakeholders' Views on the National Curriculum Development Centre [Amendment] Bill, 2020

4.1 The Ministry of Education and Sports

The Ministry submitted that the enactment of the National Curriculum Development Center (Amendment) Bill, 2020 would address the legal, institutional and global challenges that emerged since the enactment of the Principal Act in 1973.

Ministry of Education and Sports requested Parliament to review the National Curriculum Development Center Act to address implementation challenges encountered since its enactment.

4.2 National Curriculum Development Centre

The National Curriculum Development Centre made the following submissions:

- (a) That there was need to bring into conformity, the Principal Act to be in tandem with the provisions of the Public Finance Management Act 2015 in as far as the budget process is concerned.

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- (b) That there was need to include the employers, professional bodies and the Private Sector in the membership of the Centre's Governing Council since they are now key players in the Education Sector.
- (c) That there was need for the National Curriculum Development Center to vet and review alternative curricula to ensure that it is in line with the traditions, norms and beliefs of Uganda as a nation.

4.3 Uganda National Examinations Board

UNEB advised that the membership of the Centre's Governing Council as provided under Clause 3 of the Bill was unnecessarily broad, unjustifiably costly and would eventually defeat the principals of good corporate governance.

4.4 Federation of Uganda Employers

The Committee received observed the following submissions of Federation of Uganda Employers on the National Curriculum Development Centre [Amendment] Bill, 2020.

- (a) That there was need by Government to address mandate overlaps between the National Curriculum Development Centre and other institutions such as the Uganda Business and Technical Examinations Board [UBTEB] and the Directorate of Industrial Training [DIT] which are responsible for developing curriculum for BTVET courses, which is also a responsibility of the National Curriculum Development Centre.
- (b) That curricula developed by the National Curriculum Development Center and other education institutions do not effectively address skills lapses in the labour market. This is attributed to lack of involvement of employers in the process of curriculum development. The Committee received proposals for inclusion of employment bodies like Federation of Uganda Employers and Uganda Manufacturers Association.
- (c) That there was need to reflect in the Bill, a Clause compelling National Curriculum Development Center to conduct regular curriculum review after every education cycle.

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- (d) That skills development system should conduct skills forecast and evaluation in preparation for absorption in the labour market, and that there should be provided market information, periodic manpower surveys and structured industry academia forum on skills.
- (e) That there should be made a provision in the Bill that compels the National Curriculum Development Centre to conduct tracer studies that would help establish performance and experiences of products of the new curriculum. The findings of such studies would be used for comparison purposes between the effectiveness of the new and old curricula in order to inform policy decisions.

Under Clause 2, the Federation of Uganda Employers proposes inclusion of additional functions of the National Curriculum Development Centre to read as follows: -

- (a) To monitor the effectiveness of the curriculum in schools including the methodology, teaching aids and instruction materials.
- (b) To review the curriculum after every five years of its implementation.
- (c) To monitor skills development and ensure the linkage between the labor market and the education sector in the country.
- (d) To undertake concerted measures to foster cooperation in education and training with other EAC partner states as provided for under Article 5 of the Treaty establishing the East African Community [EAC].

4.5 Uganda Business and Technical Examinations Board (UBTEB)

The Uganda Business and Technical Examinations Board submitted as follows;

- (a) That some certificate and Diploma courses currently tenable in Universities would ideally be conducted by tertiary institutions and ultimately assessed by Uganda Business Technical Examinations Board following the Technical Vocational Education Training Policy. This is intended to streamline and strengthen National Curriculum Development Center roles and oversight on tertiary institutions.

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- (b) UBTEB advised that the functions of the National Council for Higher Education under Section 5 of the Universities and Other Tertiary Institutions Act, 2001 should be reviewed to address cases of uncertainty in role execution that may arise with other institutions having similar mandates.

4.6 National Council for Higher Education (NCHE)

The NCHE made the following submissions;

- (a) That the mandate to develop curricula used by tertiary institutions was the responsibility of the National Curriculum Development Center done in consultation with the National Council for Higher Education, while the National Council for Higher Education only accredits institutions to conduct teaching at higher institutions of learning.
- (b) The role of vetting and approval of alternative curricula should be the preserve of NCDC and in respect of teaching at primary and secondary schools levels.
- (c) The composition of the NCDC governing Council was devoid of representation from critical exam assessment bodies such as the Uganda Nurses and midves Examinations Board yet they play key roles in the training of health professionals.

4.7 The Vice Chancellors' Forum

The following submissions were made by the Vice Chancellors' Forum:

- (a) The proposal to change the Centre's financial year to be in consonance with that of Government was to ensure conformity with the Public Finance Management Act, 2015.
- (b) That the Bill does not expressly provide for what entails 'other curriculum', as envisaged or provided for under Clause 3.
- (c) That Uganda Medical and Dental Practitioners Council should form part of the professional bodies on the NCDC governing council.

- (d) That there was need to have two representatives from public and private universities on the NCDC governing council.

4.8 The Association of Uganda Secondary Schools Head Teachers

The Committee received and considered proposals from the Uganda Secondary Schools head teachers as follows;

- (a) Emphasis should be put on the development of practical curriculum as opposed to the concentration on theory curriculum.
- (b) That there was need to standardize the training curriculum used for the training of teachers in all training institutions in order to cover the glaring differences that are evident among teachers trained by different institutions.
- (c) That there was need for harmonization and regulation of the content published in textbooks especially for science subjects to avoid contradictions, which has become a recurring problem.

4.9 Institute of Certified Public Accountants of Uganda [CPA-Uganda]

The Committee received and considered a proposal from the ICPA-U to include a representative of the CPA-Uganda on the Centre's Governing Council. This was premised on the fact that the Bill provided for inclusion of professional bodies such as the Uganda Institute of Professional Engineers.

The justification for the proposal was that the accounting profession was well grounded and positioned to contribute to sustained curriculum development, training of professional accountants, and would contribute to the Council goals through professional guidance and support to the Finance and General Purposes Committee.

Proposals outside the scope and object of the Bill

Whereas the CPA-Uganda made proposed amendments on the following Sections of the NCDC Act, Cap 135, the Committee noted that they were outside the scope and object of the Bill, but would encourage and recommend that the Minister responsible for education takes them into consideration for possible future amendments:

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- (a) Section 9 Disqualification for membership of the Council.
- (b) Section 11 Term of Office of appointed members.
- (c) Section 29 Accounts
- (d) Section 30 Audit of books of accounts

4.10 Education Accelerators Limited

The Committee was informed that Ministry of Education and Sports has granted licenses to international schools to have operations within Uganda. This was premised on Government's liberalization policy that allowed the private sector to operate alongside the formal sector in the provision of education services.

The Committee received a proposal to amend Clause 2 paragraph (b)(jb) to insert the words '*after satisfying national expectations as set by the National Curriculum Development Centre, a certificate of accreditation be issued*' at the end of the paragraph.

5.0 Observations an Recommendation

The Committee observes that:

- (a) the proposed new function under Clause 2(b)(jb) suggests originality, expertise and indisputable process flows in curricula design with NCDC involvement only limited to vetting and approval, and yet such curricula requires thorough scrutiny to ascertain their relevance in education skills development and values required for an effective and efficient human resource in Uganda;
- (b) whereas NCDC may not have the mandate to assess alternative curricula to ascertain whether or not they match national education system requirements, it could still, as a Government agency, provide guidance on how to regulate operations of international schools. The Committee believes that NCDC has powers to influence Ministry of Education and Sports to vet and approve implementation of international curricula before the Minister can license such operations in the country;

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Recommendation

The Committee recommends that NCDC should vet all alternative curricula and issues certificates of approval before the Ministry of Education and Sports can license such schools that use alternative curricular.

- (c) NCDC has not been at the helm and epitome of executing its responsibilities as enshrined in Section 3 of the NCDC Act especially in relation to alternative curricula and curricula developed by post-secondary education institutions without due diligence and consultations made with NCDC. The Committee was informed by NCDC that universities were considered to have the highest concentration of knowledge and skills required to develop and teach their own curricular. The Committee notes that NCDC has relegated part of its responsibilities to education institutions to develop curricular that suit their own needs;

Recommendation:

The Committee recommends that all other education institutions offering Diploma and Certificate courses except universities, should develop curricular in consultation with, and approval National Curriculum Development Centre. However, all curricula for Diploma and Certificate courses should be developed in consultation with and approval by NCDC.

- (d) whereas Government liberalized the education sector, the Bill under Clause 3 presents limitations on representation on the NCDC Council in a sense that it does not make express provisions for private sector involvement as a key stakeholder in the delivery of quality education services in the country;

Recommendations:

- (i) **The Committee recommends that the composition on the Governing Council of the Centre should be mindful of the different key stakeholders in curriculum development.**

- (ii) The Committee further recommends that interests of non-state education actors should be represented on the Centre's Governing Council.**
- (e) The Committee observes that there is existence of role conflicts between National Curriculum Development Center and National Council for Higher Education in as far as curricula development for certificate and Diploma courses is concerned.
- (f) The Committee further observes that Section 5(1) of the Universities and other Tertiary institutions Act, 2001 mandates NCHCE to ensure minimum standards for courses of study and equating of degrees, diploma, and certificates awarded by the different Public and Private institutions of higher education while section 3(1) of the NCDC Act, cap: 135 mandates NCDC to investigate and evaluate the need for syllabus revision and curriculum reform at Primary, Secondary and Tertiary levels of education.

Recommendation:

- (i) The Committee recommends that National Curriculum Development Centre should be the lead government agency in curriculum development and review, and all activities related to curriculum development should be done in consultation with the National Curriculum Development Center.**
- (ii) The Committee further recommends that the Minister of Education and Sports should table a Bill seeking to amend the Universities and other Tertiary institutions Act, 2001 with the primary object of prescribing that Universities should only develop curriculum for Undergraduate and postgraduate courses of study. This would resolve the current impasse between NCDC and NCHCE IN curriculum development for certificates and Diploma courses and would also strengthen NCDC mandate to develop curricula for tertiary levels of Education.**

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6.0 Conclusion

The Committee proposes that the National Curriculum Development Centre [Amendment] Bill, 2020 be passed into law, subject to the proposed amendments.

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Proposed Amendments to the National Curriculum Development Centre (Amendment) Bill, 2020

CLAUSE 3: AMENDMENT OF SECTION 7 OF PRINCIPAL ACT.

Replace clause 3 with the following-

“3. Replacement of section 7 of principal Act.

Section 7 of the principal Act is substituted with the following-

7. Membership of the Council.

(1) The governing body of the Centre shall be the Council consisting of the following members-

(a) the Permanent Secretary of the Ministry responsible for education, or his or her representative at the rank of principal officer or above;

(b) the Permanent Secretary of the Ministry responsible for finance or his or her representative at the rank of principal officer or above;

(c) the Permanent Secretary of the Ministry responsible for labour or his or her representative at the rank of principal officer or above;

(d) one representative of national examination bodies, appointed by the Minister;

(e) the Executive Director of the National Council for Higher Education or his or her representative;

(f) the Director of Basic and Secondary Education or his or her representative at the rank of principal officer or above;

(g) the Director of education Standards or his or her representative at the rank of principal officer or above;

(h) a representative of the Private Sector Foundation;

(i) the director of the Federation of Uganda Employers or his or her representative;

(j) the Director of the National Union of Disabled Persons of Uganda or his or her representative;

(k) the chairperson of the Vice Chancellors' Forum or his or her representative;

(l) a representative of private schools and private education institutions, who shall be recommended, subject to the approval of the Minister;

(m) not more than three other members appointed by the Minister, who shall be persons qualified as having experience in the practice and administration of education.

(2) At least a third of the members appointed by the Minister shall be women.”

Justification

To provide for a membership of the Council which is relevant to the mandate of the National curriculum Development Centre and to provide for gender balance.

CLAUSE 4: AMENDMENT OF SECTION 10 OF THE PRINCIPAL ACT.

Replace clause 4 with the following-

“4. Amendment of section 10 of principal Act.

Section 10 of principal Act is amended in subsection (1) by deleting the word **“ex officio”**.”

Justification

To enable the Minister to appoint, as a chairperson, any member of the Council.

CLAUSE 6: AMENDMENT OF SECTION 13 OF PRINCIPAL ACT.

Clause 6 is amended by substituting for the words **“twelve members”**, the words **“two thirds of all members of the Council”**.

Justification.

To provide for a quorum that is reasonable for decision making.

CLAUSE 7: REPLACEMENT OF SECTION 16 OF THE PRINCIPAL ACT.

Clause 7 is amended-

- by deleting paragraph (c).
- by inserting two new paragraphs immediately after paragraph (b) as follows-

(c) Skills needs anticipation committee.

(d) Accreditation and certification committee.

Justification.

- The provision in paragraph (c) is redundant since the Public Finance Management Act, 2015 provides for Audit Committees under section 49.
- The insertion of paragraphs (c) and (d) is to provide for the skills needs anticipation committee with the view of combating skills mismatch in the labour market and a committee for accreditation and certification, respectively.

CLAUSE 8: AMENDMENT OF SECTION 17 OF THE PRINCIPAL ACT.

Clause 8 is amended-

- By replacing paragraph (d) with the following-

“(d) a dean of a faculty of education of a university appointed by the Minister”.

- by substituting for paragraph (e) the following-

“(e) the heads of the academic departments of the Centre”.

- in paragraph (f) by replacing the entire paragraph with the following-

“(f) one representative of each of the national examination bodies.”

Justifications

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- The amendment in paragraph (d) is to provide for the appointing authority of a representative of the dean of the faculty of education of any University, whether private or public.
- The amendment in paragraph (e) is to provide for a representative of each of the National Examination Bodies.

CLAUSE 9: AMENDMENT OF SECTION 18 OF PRINCIPAL ACT.

Clause 9 is amended;

- in paragraph (a) by-
 - replacing subsection (4)(c) of principal Act with the following-

“(c) education practitioners at the pre-primary, primary, secondary, tertiary and higher levels of education.”
 - **by deleting subsection 4(d) of principal Act.**
- in paragraph (b) by substituting for the word **“three”**, the word **“five.”**

Justifications

- To elaborate the various levels of education in Uganda so as to avoid misinterpretation of the law.
- It is a consequential amendment arising from amendment of subsection (4)(c) of principal Act.
- The amendment in paragraph (b) is to increase the period of service of a subject panel from three to five years.

CLAUSE 10: AMENDMENT OF SECTION 20 OF PRINCIPAL ACT.

Replace the entire provision with the following-

“10. Amendment of section 20 of principal Act.

Section 20 of the principal Act is amended by substituting for subsection (5) the following-

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“(5) At all meetings of the board, a two thirds majority of all members shall constitute quorum.”

Justification

For consistency.

CLAUSE 11: AMENDMENT OF SECTION 24 OF PRINCIPAL ACT.

Clause 11 is deleted.

Justification

The provision is redundant since the Council has the powers to appoint such officers as it considers necessary for the efficient discharge of the functions of the Centre.

CLAUSE 12: AMENDMENT OF SECTION 31 OF THE PRINCIPAL ACT.

Replace the entire clause with the following-

“12. Amendment of section 31 of principal Act.

Section 31 of the principal Act is substituted with the following-

“31. Report of the Centre’s activities.

(1) The Council shall, not later than three months following the end of each financial year, submit a report to the Minister on the activities of the Centre.

(2) The Council shall submit such other reports within such time as the Minister may require.”

Justification

To require reporting by the Council on the activities of the Council.