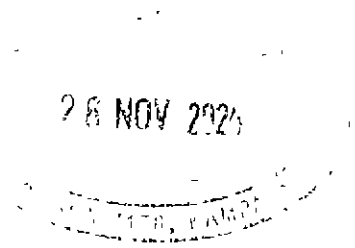




PARLIAMENT OF UGANDA



MINORITY REPORT ON THE NATIONAL TEACHERS' BILL, 2024

**Office of the Clerk to
Parliament
Parliament Building
Kampala-Uganda**

NOVEMBER 2024

d *[Signature]* *Julie*

1.0 Introduction

The National Teachers' Bill was read for the first time by the Minister of Education and Sports for Higher Education, Dr. Chrysostom Muyingo on Tuesday 6th August 2024, at the fourth session of the 7th sitting of the 1st meeting of Parliament.

The Committee of Education and Sports met various stakeholders that provided views on the Bill.

2.0 Background of the Bill

The National Teachers' Bill, 2024 seeks to give effect to the National Teachers' Policy. The minority report is prepared pursuant to rule 205 of Rules of Procedure of Parliament of Uganda, which accords a member dissatisfied with the report of the majority to state in writing, the reasons for dissent.

3.0 Points of dissent

The grounds of dissent are in the following areas:

- a) **Clause 5** of the Bill proposes to establish the National Teachers' Council as a body corporate with the power to do all things a body corporate may lawfully do including; to sue and be sued. This is against the Cabinet policy to rationalize Government agencies so as to reduce Government expenditure.
- b) **Clause 45** of the Bill requires all teachers engaged in teaching to undertake Continuous Professional Development (CPD). This is unfair for teachers given their meagre pay unless Government intends to cover the costs for the Continuous Professional Development.
- c) **Clause 33** of the Bill provides for licensing of teachers and **clause 36** provides that teachers will be required to renew the licence after every four years. The teachers will also be required to pay for the licences and their renewal. This is quite costly for the teachers. The current licensing regime is favorable for the teachers and we appeal that the status quo is maintained.
- d) **Clause 28** requires every teacher to have a degree in education in order to teach at the levels of pre-primary, primary and secondary education. However, the current law provides that pre-primary education is run by private agencies or persons and not under the Government structure.

4.0 Findings and Recommendations

4.1 National Teachers' Council

The Bill proposes to establish the National Teachers' Council under Part II. The Cabinet adopted the Rationalisation of Government Agencies and Public Expenditure



(RAPEX) on 22nd February 2021 as a step to reduce Government expenditure. Parliament has rationalized a number of Government agencies in a bid to reduce expenditure and tough decisions had to be made to rationalize the agencies. It is inconsiderate for Government to rationalize agencies on one hand and on the other, create new bodies. Furthermore, the Ministry of Education and Sports was not able to demonstrate to the Committee the importance of establishing a Council and therefore the establishment of the National Teachers Council is against the policy of rationalisation.

Recommendation

Instead of creating a Council of seven members, the Government should direct those funds to the District particularly to the inspection department to oversee and supervise the performance of teachers in schools. This will enable the proper evaluation of the performance of teachers as opposed to establishment of a Council to carry out the role.

4.2 Continuous Professional Development

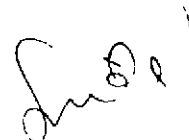
Clause 9(g), (h) and (i) of the Bill provides that the Council shall develop or cause to be developed continuous professional development programmes for teachers, accredit providers to offer continuous professional development for teachers and conduct training of trainers of continuous professional development programmes.

The Bill goes ahead, under Clause 45 to require every teacher engaged in teaching to undertake Continuous Professional Development. Furthermore, **clause 45 (4)** provides that the Council may suspend the practicing licence of a teacher who fails to undertake continuous professional development.

The Ministry of Education and Sports informed the committee that just like other professions, teachers should meet the cost of their CPD.

We note that a similar requirement for Continuous Professional Development exists in the Advocates Act, Cap. 295 under **Section 10** that provides that the Committee shall conduct and promote continuing legal education for qualified legal practitioners **Section 3** of the Uganda Law Society Act Cap. 305 provides that the Law Council shall exercise, through the committee, general supervision and control over professional legal education in Uganda including continuing legal education for persons qualified to practice law in Uganda. In practice, Law Society requires advocates to pay fees for different continuous legal education trainings throughout the year. These fees range from 100,000/= for online courses to up to 500,000/= for physical courses.

Following a benchmarking visit to Ghana by some members of the Committee, the members interacted with the National Teaching Council of Ghana who informed the



Committee that teachers in public schools in Ghana are given continuous professional development allowances by the Government.

The requirement for Continuous Professional Development for teachers raises questions on affordability of continuous professional development programmes for teachers considering their monthly pay. Unlike other professionals like advocates and accountants, among others, teachers are not well remunerated. For instance, a primary teacher earns about UGX. 400,000 (Uganda Shillings Four Hundred Thousand) per month and a nursery teacher earns about UGX. 200,000 (Uganda Shillings Two Hundred Thousand) which does not cover most of the basic needs of a teacher.

Recommendation

Government should fully cover the costs of Continuous Professional Development for teachers. If not, it should not be a mandatory requirement for teachers which can cause cancellation of a licence.

4.3 Licensing of Teachers

Clause 33 of the Bill provides for licensing of teachers and **clause 36** provides that teachers will be required to renew the licence after every four years. The teachers will also be required to pay for the licences and their renewal.

The current regime is favorable in that a teacher is not required to pay for the registration or licensing. However, the Bill gives the Council power to prescribe a fee for teachers to be licensed every four years. This is quite costly for the teachers. In addition, this proposal will further affect the number of persons who will be desirous of pursuing the teaching profession. The Uganda Private Teachers' Union informed the Committee that there is already a deficit in the number of teachers in the country as shown below:

School level	Approved staff	Existing staff	Deficit
Primary level	172,531	138,008	34,523
Secondary level	82,782	35,950	46,842

The current situation in Uganda does not favour teachers and therefore many are leaving the profession through early retirement or fully to pursue other businesses such as boda boda riding, to mention but a few.

Recommendation

   4

The status quo should be maintained as in the Education (Pre-Primary, Primary and Post-Primary) Act, Cap 247. Teachers should not be required to pay for registration or licensing.

4.4 Degree requirement

Clause 28 of the Bill provides that a person is eligible to be registered as a teacher if he or she possesses a degree in education. **Clause 65** requires teachers to comply with the requirements under **Clause 28** within ten years of the commencement of the Act. **Section 11** of the Education (Pre-Primary, Primary and Post-Primary) Act, Cap. 247 states that pre-primary education is run by private agencies or persons. While the Government provides for universal primary and secondary education, it does not cater for pre-primary. **That implies that it does not recruit teachers for pre-primary.** Basing on this, Government should not impose a requirement of a degree on an area where they do not have a hand. The Committee interacted with the Uganda Private Teachers' Union (UPTU) which indicated that it is unproven and unnecessary to require a nursery teacher to possess a degree instead, they **require more Early Childhood Development (ECD) skills** as no clear nursery education curriculum has been put by the Ministry except for the learning framework which is still an experimental version.

Additionally, UPTU submitted that considering the deplorable working conditions and salary levels of most teachers in private schools, it is impossible to assume that they may conveniently require the degree qualifications required except when issues of their welfare particularly, salary is well answered to. Accordingly, the Government should start with seconding salaries for teachers in private schools to build their abilities to attain the requirements – otherwise this is exclusively intended to exclude the low paid teachers from the teaching career.

Furthermore, during the benchmarking visit to Ghana, the committee members were informed that all teachers in Ghana are required to have a degree qualification. However, all public servants in Ghana are paid at the same salary scale upon attaining a Bachelors' degree. In contrast, in Uganda teachers who have a bachelor's degree are still paid the same salary as a person who has attained a lower qualification (Grade III certificate). It would be unfair to require a teacher to have a minimum of a degree without a salary commensurate to the degree.

Most stakeholders did not agree with the degree qualification and their views are as follows:



5



BUSITEMA UNIVERSITY	Propose that Pre -primary teachers not be required to have a degree to be eligible to register as teachers. Propose gradual phasing of primary and lower secondary teachers without degrees as was done with grade II primary teachers of the 1970s to 1980s.
ESC	Expansion of eligibility for registration as follows; a) Degree in Education b) Relevant Degree and Post Graduate Diploma in Education. c) A Diploma in Education i.e. Grade V Teacher who acquires a relevant Degree qualification.
NOTU	Clause 28(1) (a)-Possesses a qualification in education In this regard, it is our view that we do not need same teacher academic qualification to handle varied education levels like nursery, primary or Secondary levels. Instead, emphasis should be put on necessary skills at particular levels e.g. Early Childhood Development (ECD) Skills for Nursery teachers.

Recommendation

- i) Teachers should not be mandated by law to have a degree to teach. However, Government should encourage teachers to upgrade their qualifications gradually.*
- ii) Where the Government requires a degree, Government should provide a salary commensurate to a degree qualification.*
- iii) Government should put in place programmes for the gradual upgrade of teachers to acquire the degree qualifications and the cost should be borne by Government.*
- iv) Government should improve the working environment for schools as most structures are dilapidated, teachers lack teaching materials and the student teacher ratio is high.*

I beg to move that the house adopts the minority report and attached amendments.

d *Inde*
JH

PROPOSED AMENDMENTS TO THE NATIONAL TEACHERS' BILL, 2024

PART II-NATIONAL TEACHERS' COUNCIL

Delete Part II.

Justification

The establishment of the Council is against the Government policy on Rationalisation of Rationalization of Agencies and Public Expenditure (RAPEX) which aims to reduce public expenditure.

CLAUSE 28: ELIGIBILITY FOR REGISTRATION

Clause 28 is substituted for the following—

"A person is eligible to be registered as a teacher if he or she successfully completes a course of training from a training institution recognised by the Ministry."

Justification

To provide for the eligibility of registration for a teacher who has completed a course of training from a training institution recognised by the Ministry.

CLAUSE 33:APPLICATION FOR PRACTISING LICENCE

Clause 33 of the Bill is amended by deleting the word "prescribed fee".

Justification

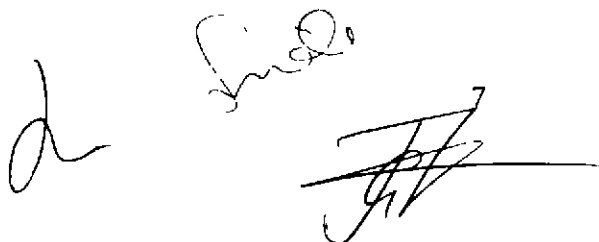
It is expensive for a teacher to pay for licensing every four years given the meagre pay that teachers earn.

CLAUSE 45: CONTINUOUS PROFESSIONAL DEVELOPMENT

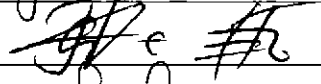
Delete clause 45

Justification

The requirement for continuous professional development is unfair for a teacher given the meagre salary which teachers earn.



SIGNATORIES TO MINORITY REPORT

No.	Name	Signature
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	Linda Irene	