

ENGLISH MEDIUM SCHOOLS

# Session fees illegal: HC

*Court also orders forming managing committees*

ASHUTOSH SARKAR and WASIM BIN HABIB

The High Court yesterday declared illegal annual readmission and session fees charged by English medium schools, much to the relief of students and their guardians.

HC bench of Justice Sheikh Hassan Arif and Justice Md Badruzzaman delivered the verdict after hearing two writ petitions filed by two guardians in 2012 and 2014, challenging the legality of the fees.

The court also issued a set of directives for running the educational institutions in a smooth and transparent manner.

It said a managing committee must be formed at every English medium school as per the Private (English medium) School and College Ordinance 1962 and the Private English Medium School Registration Rules, 2007.

The committee must have representatives from the guardians and the teachers and the school authorities. It would have to hold meetings on a regular basis and appoint teachers and staff through advertisements in newspapers.

The committee would determine the admission and tuition fees of the students and also the salaries and other benefits of the teachers and other employees. The owners would not be allowed to interfere in the school activities, said the court.

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The committee would audit the accounts of the schools and make the audit reports available to all parents and on the website of the institutions.

In the judgment, the court also said the managing committee would work to ensure that a child spends less than the current four years to get promoted to grade-1 from playgroup.

Hailing the HC verdict, guardians said many schools claim they do not take any session fees but in reality, they charge students the same amount of money in the name of "adjustments" to the annual and other fees.

They urged the authorities concerned to ensure a proper monitoring system to prevent the institutions from making such "adjustments".

"After the verdict, some schools may realise the money by increasing the monthly tuition or other fees. The government should monitor the matter closely," Marisha Khanam, mother of a third grader in an English medium school in Dhanmondi, told The Daily Star.

On being informed about the verdict, Habibur Rahman, whose son is a student in Mastermind School, said it was encouraging that guardians would be included in the managing committee. "Now the schools won't be able to hike fees or take any decision at will."

Talking to The Daily Star, several teachers said most of the English medium schools stopped taking session fees several years ago and many of the institutions already had managing committees.

Wasim Bin Habib, vice principal of a school in Dhanmondi, said he had never taken any session fees. "As I know, most of the schools have stopped taking session fees as it has been made a compulsory subject as asked by the govern-

ment schools.

"I think the private English medium schools should be accredited by a government body, which will check the standard of education in the institutions," Yasmeen said.

She also said there should be a mechanism to ensure that schools, which do not maintain standard education but charge high fees, stop mushrooming.

Contacted, GM Nizam Uddin, secretary general of Bangladesh English Medium School Association, said the HC verdict would impact only a handful of English medium schools as "most of the institutions don't take any annual session fees."

He said the Private English Medium School Registration Rules, 2007 had the provision of forming the managing committees. But, the provision does not mention how the bodies would function, he said, adding, "Now the board [Dhaka education board] should prepare a set of guidelines about the function of the managing committees."

Yesterday, the court said the English medium students must be taught lessons on Bangla language, culture and heritage. They also must be taught the history of Bangladesh, including the contribution of Bangabandhu Sheikh Mujibur Rahman, freedom fighters, eminent writers and poets, including Rabindranath Tagore and Kazi Nazrul Islam.

The school authorities would also properly teach Bangla to the students so that they could learn, say and write Bangla fluently. The schools also must organise functions on the occasions of national days, the court said.

Both Yasmeen and Nizam said most of the schools teach students Bangla as it has been made a compulsory subject as asked by the govern-

Jabed Faruque, one of the two writ petitioners, told The Daily Star that following the HC verdict, the authorities of English medium schools could take admission charge only once from students and they could not demand any session fees.

The managing committee would have to be formed three months after receiving the full text of the verdict, they said.

"It [the verdict] was long overdue. This is undoubtedly a landmark decision...", Barrister Masood R Sobhan, lawyer for another writ petitioner barrister Fatema S Chowdhury, told this correspondent.

He said the education ministry would have to issue a circular with the HC directives in a month after receiving the judgment.

The ministry would submit a report before the HC in six months after complying with the directives, he said, adding that there was no scope for the ministry to do any negligence in implementing the directives.

Barrister Fatema S Chowdhury filed the writ petition with the HC in 2012 challenging the legality of session fees and value added tax (VAT) charged by English medium schools.

Jabed Faruque moved the writ petition with the HC in 2014 challenging the legality of charging the session fees and praying to the court to issue guidelines for smoothly running the institutions.

Deputy Attorney General Rashed S Jahangir told this newspaper that the government was sincere in formulating a guideline on the schools.

Contacted, advocate Ahsanul Karim, a lawyer for five English medium schools, said his clients would decide on appealing against the HC verdict after receiving its full text.

Currently, the country has 150 English medium schools with more than 1.93 lakh students.