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**EXTERNAL FINAL EVALUATION OF THE
LESOTHO PRIMARY EDUCATION PROGRAM**

Consultants' Final Report

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by

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The team included: Jerald L. Reece and Madhuri Kilpatrick, Evaluation Specialists. The findings, interpretations, and conclusions presented in the evaluation are the authors' own and should not be attributed to AED, USAID, or the U.S. Government.

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LIST OF ACRONYMS

ACCESS	Computer software for student database system
ACCPAC	Computer software for accounting system
BANFES	Basic and Non-formal Education Systems Project
CLS	Community Learning System Approach
COP	Chief of Party
CP	Conditions Precedent
DEO	District Education Officer
DRC	District Resource Centre
DRT	District Resource Teacher
ECOL	Examination Council of Lesotho
EMIS	Education Management Information System
ESDP	Education Sector Development Plan
ESS	Education Sector Support
EU	European Union
GOL	Government of Lesotho
IIEP	International Institute for Educational Planning
LIET	Lesotho In-Service Education Training
MOE	Ministry of Education
NCDC	National Curriculum Development Centre
NGO	Non-Governmental Organization
NPA	Non-Project Assistance
NTTC	National Teacher Training College
NUL	National University of Lesotho
OU	Ohio University
PAAD	Program Assistance Approval Document
PACD	Project Activity Completion Date
PEP	Primary Education Program
Project	Primary Education Project
PS	Principal Secretary
PSLE	Primary School Leavers Examination
PVTS	Public Vehicle Transport Services
SSU	School Supply Unit
SUNY	State University of New York
TA	Technical Assistance
TSD	Teacher Services Department
UNESCO	United Nations Education Scientific & Cultural Organization
UNICEF	United Nations International Children's Emergency Fund
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

This final evaluation report was conducted one year earlier than originally planned in the Project Agreement due to the early closure of the Primary Education Program (PEP). It follows the *Interim Evaluation* report that took place in April 1994. The *External Final Evaluation of the Lesotho Primary Education Program* primarily focuses on the time period following the interim evaluation, although as a necessity some aspects of the total life span of the Program/Project are considered as well. This evaluation is summative in terms of the Project and U.S. Agency for International Development (USAID) participation; however, much of the evaluation should be considered formative in relation to the Government of Lesotho (GOL) and the Ministry of Education (MOE) since the primary education in the country does not stop with the closure of a donor project. The GOL and MOE are committed to continuous improvement of the quality of education for children. For that reason findings and the recommendations made are for consideration by the MOE as it works toward continuous improvement of quality in its primary education program.

PEP was designed jointly with USAID, the World Bank, and GOL as an education sector support plan. Financial support from the donors was used to leverage key policy initiatives in the sector to enhance systemic accomplishment. A set of conditionalities determined the release of tranches of money as the program progressed. The Primary Education Project is part of the larger USAID Primary Education Program (nearly 21.8 percent in final contract cost on the Ohio University side, 26.5 percent in final contract cost on the entire Project side). The Primary Education Project provided technical assistance aimed at what were identified to be key systemic components: finance, planning and an education management information system (EMIS), testing and curriculum evaluation, and institutional development and management of teacher education.

As stated in the Project Agreement and the Ohio University technical assistance contract, the goal of the PEP was to contribute to economic and social development in Lesotho by providing increasing numbers of Basotho with basic education without reducing access. The purpose was to improve the quality and efficiency of primary education through the establishment of a new policy framework and reformed instructional structure. The objectives supported the GOL *Educational Sector Development Plan, 1991/92 - 1995/96*, which emphasizes the improvement of primary education as important to improve overall system effectiveness. The Program targeted three major areas of reform: (a) increasing financial resources for education, especially for primary education; (b) increasing the quality and efficiency of primary schooling, including teachers, instructional materials, and school environment; and (c) improving educational management.

During the four years of the Primary Education Project, the following assistance was provided:

132 person months of long-term assistance; 55 person months of short-term assistance; 126 person months of long-term training in the United States; and 141 person months of short-term training, mostly in Lesotho and South Africa with some in the United States.

Study methods for this evaluation included: reviewing 78 documents/reports prior to interviews; interviewing 57 individuals in the USAID Coordination Office, the PEP Project Ohio University team, and various government agencies including the Ministries of Education and Finance; and making field visits to two schools and a new District Resource Centre building in the Leribe District. All persons interviewed were candid in discussing successes of PEP, offering ways in which donor programs might be more effective and suggesting next steps for further improving the quality of primary education in Lesotho.

During the five-year life span of the Primary Education Program, major achievements in improving the quality of primary education in Lesotho include: enactment of the far-reaching *Education Act 1995* first published January 17, 1996; construction of new and refurbishing of some existing primary school classrooms in five of the ten districts; significant reduction of underage children in Standard 1; progress toward reducing the number of overage children in primary school; establishment of a policy to restrict the number of repetitions in Standards 1 through 7; completion of the first 3 ½-year cycle of training unqualified (those without teaching certificates) practicing teachers, adding 450 qualified teachers to the Teaching Service; planning and implementation of the first three-year cycle of training unqualified head teachers, adding 105 qualified head teachers to the primary education system; reorganization of the structure of the National Teacher Training College (NTTC) to include three divisions—primary education, junior secondary education, and inservice education—each staffed with coordinators; increased capacity of the EMIS that provides data on various aspects of primary education to be used in making further policy decisions and obtaining adequate budget to implement quality program improvements; planning of a new financial management system; development of the newly revised syllabi for Standards 1-7, piloted (tested) in 50 schools; planning of a new curriculum database that will assist the National Curriculum Development Centre (NCDC) in further improvement of syllabi, instructional materials, and inservice programs for teachers; development of a Standard 3 Achievement test that can be used to monitor effectiveness of the curriculum midway through the primary school curriculum; and documentation/update of Primary School Leaving Examination (PSLE) procedures and programs.

Although there was some frustration on the part of MOE and other personnel over the interpretation given to the Conditions Precedent (CPs), there is nearly total support for the concept of requiring conditionalities to qualify for increments of donor funding. Such conditionalities were viewed as essential to implementing reform. An important key to successful use of CPs to leverage reform and institutional change is the degree to which there is sufficient collaboration and consultation with the various stakeholders in both the selection, clarity of wording, and interpretation of what actions sufficiently meet requirements of each conditionality.

Unforeseen political events and developments may bring about a need for renegotiation of CPs. Whether or not CPs are renegotiated as a result of unforeseen circumstances, a thorough discussion of the interpretation of what constitutes meeting the CPs is essential, especially when officials involved in the original development, selection, and interpretation of CPs are no longer a part of the implementation and interpretation process.

Recommendations put forward in the report are given in the spirit of improving processes and outcomes of collaborative efforts between local governments and donor agencies, with particular attention to the GOL, MOE and USAID. Recommendations also include those made for continued improvement of the quality of primary education in Lesotho. Highlights of recommendations are:

1. The Education Act 1995 is a significant step toward improving the quality of education in Lesotho. Implementation of the provisions of the Act must be accomplished through a well-developed plan.
2. Severe understaffing is a problem faced by the MOE in most units, especially the Planning Unit and NTTC. Quality of services offered depends upon urgent strengthening of units.
3. Autonomy of the NTTC is a long-standing need. The revised bill should be readied and submitted to Parliament as soon as possible.
4. Quality of the primary education program depends largely on the quality of instruction in each of the 1,234 primary schools. Ongoing inservice of practicing teachers, both qualified and unqualified, is a great need. To improve inservice activities, it is essential that a strengthened inservice program be developed for the Inspectorate and head teachers.
5. Increased percentage of qualified teachers should be a continued goal. To accomplish this, the capacity of NTTC should be increased through the employment of increased numbers of qualified staff, through increased dormitory space, and through continuation of the inservice program for practicing unqualified teachers.

SUGGESTED NEXT STEPS FOR CONTINUED QUALITY IMPROVEMENT OF PRIMARY EDUCATION IN LESOTHO

TARGETS

1. Fully implement the Education Act 1995 (Rec. 1).
2. Continue adequate funding of primary education to increase quality and access to basic education (Rec. 2).
3. Obtain full staffing in the Planning Unit (Rec. 5).
4. Obtain autonomy for NTTC (Rec. 3).
5. Continue to improve quality of the curriculum development process (Rec. 6).
6. Accelerate outputs of qualified primary level teachers (Rec. 9).
7. Accelerate inservice of practicing teachers (Rec. 9, 11, 12).
8. Transfer responsibility of PSLE to the Examinations Council of Lesotho (Rec. 8).
9. Expand use of EMIS data and special study reports in areas of curriculum revision, strengthening the teacher-training curriculum, and in inservice training (Rec. 5, 10).
10. Plan, design, and implement model school(s) as a means of demonstrating effective teaching (Rec. 4).
11. Increase support of classroom teachers through training the Inspectorate in skills of facilitating the implementation of effective classroom instruction techniques (Rec. 7, 12).
12. Implement the newly developed and computerized financial management system (Rec. 13).
13. Secure needed additional financial support from GOL and from donors (Rec. 14).

ACTIONS REQUIRED TO REACH TARGETS

1. Fully implement the Education Act 1995 (Rec. 1)

- a. Develop implications for each provision of the Act
- b. Develop implementation procedures for each provision of the Act
- c. Develop time line for implementation for each provision of the Act
- d. Identify roles of various agencies for implementation through consultative meetings with stakeholders
- e. Implement the Act according to the agreed-upon time line

2. Continue adequate funding of primary education (Rec. 2)

- a. Provide current EMIS reports relating to enrollment projections, teaching positions required to improve teacher/pupil ratios, additional classrooms required, increased staffing of the Inspectorate to facilitate effective classroom instruction, etc.
- b. Present budget requests based on above to PS, Ministers of Education and Finance
- c. Follow-up budget requests on regular basis to obtain needed allocations

3. Obtain full staffing in the Planning Unit (Rec 5)

- a. Identify staffing needs in terms of EMIS, reports required, and other tasks assigned to the Planning Unit.
- b. Develop job descriptions for each position and financial needs to staff fully.
- c. Develop request for full staffing separate from, but included, in the budget request.
- d. Present request to PS for action

4. Obtain autonomy for NTTC (Rec. 3)

- a. Revise and strengthen proposed bill on autonomy
- b. Present proposed bill through appropriate channels
- c. Obtain support for bill and GOL commitment for decisive action and passage by Parliament
- d. After passage of the bill, implement autonomy including conditions of service for staff
- e. Actively recruit to fill vacant staff positions

5. Continue to improve the quality of the curriculum development process and effective implementation in the primary schools (Rec. 6)

- a. Complete and maintain curriculum database
- b. Develop and maintain item banks for Standard 3 Attainment Test and PSLE
- c. Develop curriculum-based continuous assessment
- d. Complete writing, trialing and distribution of teachers' guides for all subjects
- e. Provide inservice training on revised curriculum to Inspectorate, DRTs, school heads, NTTC staff, and primary teachers

6. Accelerate outputs of qualified primary level teachers (Rec. 9)

- a. Increase capacity of NTTC to train and certify increased number of qualified teachers and school heads
- b. Construct additional dormitory space
- c. Expand staff positions and recruit to fill positions without delay
- d. Increase intake of preservice primary education teacher training program
- e. Continue inservice education program for practicing unqualified teachers
- f. Continue inservice education program for practicing unqualified head teachers

7. Accelerate inservice training of practicing teachers (Rec. 9, 11, 12)

- a. Increase capacity of DRTs and Inspectorate to provide inservice workshops to practicing teachers in various districts.
- b. Expand inservice in the areas of using results of checklists, attainment tests, and teacher-made tests to diagnose strengths and weaknesses of pupils in attaining mastery of curriculum goals and objectives and planning for remediation.

8. Transfer PSLE to Examinations Council of Lesotho (Rec. 8)

- a. Schedule meeting with Director of NCDC, Director of Planning Unit, Registrar of ECOL, Principal Secretary of MOE, and possibly Minister of Education
- b. Prepare written agreement detailing role to be played by NCDC, Planning Unit, and ECOL in PSLE once PSLE is transferred to ECOL
- c. Officially transfer PSLE to ECOL

9. Continue to expand data collection and to analyze EMIS reports and other special studies in terms of projecting goals beyond next five years (Rec. 5, 10)

- a. Expand data collection to include data not now available, such as retention and overage
- b. Continue analysis of data collected as basis of projecting staffing needs in MOE Units, NTTC, and schools
- c. Use findings to determine implications for curriculum change in schools and NTTC
- d. Use findings to design and present inservice through Inspectorate and other Units
- e. Continue to use findings of current data and expanded data collection to justify increased personnel, building and financial resources required to maintain quality education

10. Plan, design and implement model school(s) as a means of demonstrating effective teaching in the primary schools based on findings of international studies on effective schools (Rec. 4)

- a. Plan physical, staffing and classroom requirements for model school
- b. Determine location of model school(s)
- c. Obtain funding and construct model school(s)
- d. Select head teacher and provide inservice for implementation of instruction
- e. Select outstanding teachers and provide inservice for implementation of instruction
- f. Open school with typical pupil population attending
- g. Arrange inservice of practicing teachers using model school as focus on good practice
- h. Incorporate observation and practice teaching in model school(s) as part of teacher training program at NTTC

11. Increase support of classroom teachers through training the Inspectorate in skills of facilitating improvement of classroom instruction (Rec. 7, 10)

- a. Develop professional library of materials related to facilitation of quality teaching
- b. Design inservice workshops based on research findings related to effective teaching
- c. Organize and conduct inservice workshops
- d. Evaluate effectiveness of support based on structured classroom observations

12. Fully computerize financial management system (Rec. 13)

- a. Upgrade both hardware and software as recommended by Bloemfontein firm.
- b. Provide training of all accountants in use of ACCPAC and design software
- c. Organize and implement procedures for monitoring use and accuracy of new system
- d. Identify and contract consultant assistance in bringing about full implementation

13. Share report of the *External Final Evaluation of the Lesotho Primary Education Program* with other agencies, both in GOL and various donors as a means of securing financial support and resources required to further implement ESDP and to strengthen policy and institutional reform (Rec. 14)

RESOURCES REQUIRED TO MEET TARGETS

1. Full Implementation of the Education Act 1995 (Rec. 1)

- a. GOL or donor funding to employ consultant to collaboratively develop each aspect of implications, implementation, time line and roles of various agencies
- b. Funding for publication of handbook of guidelines for use by stakeholders, Inspectorate, and school heads in implementing the Act

2. Continue adequate funding of primary education (Rec. 2)

- a. Increased funding for collection of data
- b. Increased funding for publication of EMIS projections and other reports
- c. Obtain funding at level to maintain and further improve quality of primary education

3. Obtain full staffing in the Planning Unit (Rec. 5)

- a. Employ consultant assistance in analyzing mission of Unit and developing job descriptions for each staff position required to fully implement mission of the Unit
- b. Obtain PS support for more timely action by Public Service in filling staff positions

4. Obtain autonomy for NTTC (Rec. 3)

- a. GOL or donor funding to employ consultant assistance in drafting revised proposed bill on autonomy for NTTC, develop proposed conditions of service for NTTC once autonomy is obtained, and assistance in implementing concept of autonomy at NTTC
- b. Funding for recruiting and filling staff positions under autonomy

5. Continue to improve quality of curriculum development process and implementation (Rec. 6).

- a. Funding for consultant assistance which provides support for completing and maintaining the curriculum database already designed
- b. Funding for consultant assistance in developing item banks for tests and examinations.
- c. Funding for consultant assistance in designing and implementing a curriculum based continuous assessment process which provides continuous assessment of pupil learning and promotes diagnostic teaching to strengthen learning of individual pupils
- d. Funding for consultant assistance in writing teachers' guides that are closely related to the revised syllabi for all subjects in Standards 1-7.
- e. Funding for consultant assistance in designing inservice training of Inspectorate, DRTs, School heads, NTTC staff, and primary teachers to foster appropriate implementation of the revised primary school curriculum

6. Accelerate outputs of qualified primary level teachers (Rec. 9)

- a. Obtain GOL or donor funding for construction of additional dormitory space at NTTC
- b. Obtain GOL or donor funding to expand staff positions and recruit staff
- c. Increase intake of preservice primary education teacher training program
- d. Continue funding of inservice program for practicing unqualified teachers
- e. Continue funding of inservice program for practicing unqualified head teachers

7. Accelerate inservice of practicing teachers (Rec. 9, 11, 12)

- a. GOL or donor funding of consultant assistance in training Inspectorate in skills for facilitating quality instruction in the schools
- b. Increase funding for staffing of Inspectorate to reduce number of schools to supervise permitting officers to visit schools on at least an annual basis to facilitate improvement of teaching

8. Transfer responsibility of PSLE to the Examinations Council of Lesotho (Rec. 8)

- a. Obtain GOL or donor funding of four additional positions at ECOL to handle additional responsibilities associated with PSLE

9. Expand use of EMIS data and special study reports

- a. Obtain funding for additional staff positions in the Planning Unit to manage collection of additional data, analysis of data, and preparation of various reports required
- b. Obtain funding for consultant assistance in designing and collection of additional data required to project needs

10. Plan, design and implement model school(s) as a means of demonstrating effective teaching (Rec. 4)

- a. GOL or donor funding for consultant assistance in planning and designing a model for implementation of research findings related to effective teaching and effective schools
- b. GOL or donor funding for consultant assistance in developing inservice education workshops for training staff for the model school(s)
- c. Funding for construction or conversion of existing school(s) to serve as model(s)
- d. Funding for staffing the model school(s)
- e. Funding for consultant to provide inservice for staff assigned to model school(s)
- f. Funding for professional library in model school(s) to be used by staff and observers in implementing concepts of effective teaching and effective schools
- g. Funding for start-up of model school(s) including transportation and other expenses related to inservice workshops involving observation of effective teaching concepts

11. Increase support of classroom teachers through training the Inspectorate in skills of facilitating improvement of classroom instruction (Rec. 7, 10)

- a. Obtain funding for consultant assistance in identifying titles for developing a professional library of materials related to facilitation of quality teaching, and for designing inservice workshops of Inspectorate to build skills in facilitating quality classroom instruction
- b. Obtain funding for implementation of workshops designed under step "a" above
- c. Obtain funding for evaluating the effectiveness of support based on structured classroom observations

12. Fully computerize financial management system (Rec. 13)

- a. Obtain funds to upgrade both hardware and software as recommended by Bloemfontein firm.
- b. Obtain funding for consultant assistance to design and provide training of all accountants in use of ACCPAC and design software
- c. Obtain funding for consultant assistance in organizing and implementing procedures for monitoring use and accuracy of new system
- d. Obtain funding for identify consultant assistance in bringing about full implementation of the newly designed financial management system

13. Share report of the *External Final Evaluation of the Lesotho Primary Education Program* with other agencies, both in GOL and various donors as a means of securing financial support and resources required to further implement ESDP and to strengthen policy and institutional reform (Rec. 14)

- a. Identify possible donors in each of the areas in which funding is needed.
- b. Submit proposals to prospective donors for funding

SECTION I BACKGROUND

THE COUNTRY

The Kingdom of Lesotho, surrounded by South Africa, has been an independent country since 1966. It is mountainous with many isolated villages and schools. Some communities are situated several kilometers from access by vehicle, requiring people to ride horseback or walk to the community. This isolation puts constraints on delivery of supplies, construction materials, and other necessities to communities. During the winter months, many of the mountain villages are inaccessible because of heavy snowfall.

The population of Lesotho is nearly two million in a total area of 30,355 square kilometers. The western lowlands provide most of the cultivatable area within the country. About 30 percent of the land is arable. Maize, sorghum, and fruits and vegetables are the main crops. Livestock, sheep, poultry and goats also contribute to the economy. Some mining exists and a new water project will contribute to growth of the economy. The climate is dry with seasonable and daily extremes of heat and cold. Lesotho is poor in resources, except for its people. In the past, about 50 percent of the male labor force worked in South Africa, many as miners. With the recent democratic elections in South Africa, the employment of Lesotho miners has significantly decreased, producing increased unemployment and accompanying problems in Lesotho.

The new South Africa brings challenges that will impact on the future of the people of Lesotho. Opportunities for trained professionals in South Africa, in teaching as well as in other professions, will probably cause a drain on those resources in Lesotho. At the same time, South Africa may offer fewer opportunities for non-skilled workers from outside the country as it attempts to find employment for its own citizens. Opening up of trade in the region may help the Basotho in marketing local products in South Africa and other countries in the region; on the other hand, the great resources of South Africa may prove to be a hindrance to the expansion of the economy of Lesotho.

About 93 percent of the people of Lesotho are Christians, mainly Roman Catholic, Lesotho Evangelicals, and Anglicans. Historically, the various churches in Lesotho have operated schools throughout the country. In 1994, schools operated by the churches enrolled 98 percent of the pupils attending primary schools, with only 7 percent attending government or community schools.

PRIMARY EDUCATION IN LESOTHO

At the present, there are 1,234 primary schools in Lesotho. Many of these schools lack qualified teachers, sufficient classrooms, and pupil seating and/or desks. According to data presented in

Education Statistics 1994, primary school enrollment totaled 366,569 with 7,428 primary school teachers of whom 1,726 (23.2 percent) were unqualified. In 1985, 20.8 percent were unqualified and in 1990, 19.7 percent were unqualified. Between 1985 and 1994, there was a 31.2 percent increase in primary school enrollment with an accompanying 46.5 percent increase in the number of unqualified teachers. The total number of classes in primary schools increased from 6,035 classes and an average class size of 52.0 in 1985 to 7,316 classes and an average class size of 50.1 in 1994. During 1994, there were 191 classes of less than 15 pupils and 194 classes of more than 100 pupils in each. A total of 11.5 percent of Standard 1 students were seated at desks, while 29.9 percent were seated with no desk and 58.6 percent were not seated.

The foregoing information indicates that the task of reaching 100 percent qualified teachers in the primary schools is not one that is easily solved. It would appear that for some years Lesotho will not catch up unless increased capacity, especially increased dormitory space, is built into the NTTC and the inservice program for unqualified teachers already in the schools can be increased in size. With 1,726 unqualified teachers currently in the schools, it would take four cycles or 14 years at the present rate of a 3 ½-year cycle to qualify current teachers provided that no new unqualified teachers were to be placed in the schools from this point on. This, however, is an unrealistic expectation especially with projected increases in primary school enrollments. Projections in *Education Statistics 1994* indicate growth in primary school enrollments will continue. To meet the demand for additional teachers, employment of unqualified teachers can be expected to continue for several more years. It is critical that the Government of Lesotho make an extended effort to provide increased budget for the training of qualified primary school teachers, both new teachers and those who are unqualified.

About half of the primary school-age children do not complete primary school. The language of instruction in Standards 1-4 is Sesotho with English taught as a subject. Beginning in Standard 5, the language of instruction is English. The Government pays the salaries of most teachers in the primary schools, whether teachers are in government or proprietor-owned schools. The *Education Act 1995* provides greater parent and community input into primary education through the formalized establishment of school committees at the local level. The Act also clarifies the role of the Ministry of Education in the following: four classes of schools are established; registration of schools is required; advisory school and management committees of primary schools are required with teacher and community representatives to be included; persons employed as teachers must register with the Lesotho Teaching Service; and a national curriculum committee is established to review the curriculum for both primary and post-primary schools and to advise the Minister of Education through the Principal Secretary.

THE PRIMARY EDUCATION PROGRAM (PEP)

The Primary Education Program (PEP) of Lesotho was a collaborative effort of three partners: the Government of Lesotho; USAID; and the World Bank. The joint effort was designed as an Education Sector Support Program (ESS) in which financial support from the donor group was used to leverage key policy initiatives in the sector to enhance systemic accomplishment. Using Lesotho's *Education Sector Development Plan, 1991/92 - 1995/96*, selected goals/objectives were identified by the Ministry of Education as key accomplishments that would improve the quality of the primary education program. A collaborative effort between the Government of Lesotho and the donors then identified conditionalities that would assist in achieving selected goals of the Education Sector Development Plan (ESDP). These conditionalities, called Conditions Precedent (CPs) were grouped and sequenced as conditions for releasing what was intended to be four tranches of money as various stages of the Primary Education Program were implemented. To obtain the release of each tranche, approximately 20 CPs were to be satisfied. A wide range of MOE actions, as well as actions by other government agencies, Parliament and private school proprietors were required in meeting the CPs. Between 40 and 50 distinct accomplishments toward meeting MOE's Five Year ESDP were required by the 20 CPs per release.

The first tranche of USAID money (\$6.082 million) was released in May 1992 prior to the start of the Primary Education Project. The second tranche (\$5.5 million) was not released until November 3, 1995, more than three years later. USAID's Technical Officer and the PEP Coordination Office have prepared the submission to the Regional USAID Office in Botswana recommending successful completion of the CPs required for release of the third tranche (\$3.4 million). USAID's regional legal officers must now review the documentation prior to releasing the third tranche. The USAID Non-Project Assistance (NPA) funds were provided as budget support funds to assist the Ministry of Education in achieving key objectives in the ESDP. Initially, the amount of USAID NPA funding was to be \$18.6 million but was reduced to approximately \$15 million due to the loss of the fourth tranche. The loan from the World Bank was in the amount of \$25 million, the largest portion of which was provided for the building of new classrooms at primary schools. Budget support funds provided through USAID funding included the purchase of furniture for the new classrooms and some qualifying existing classrooms that were refurbished, improving the quality of the Radio Program through more powerful radios and antennas to increase broadcast coverage throughout Lesotho, improving distribution of school supplies directly to schools by purchase of additional vehicles, building five new District Resource Centre buildings, and other important resources. In addition to meeting agreed-upon CPs for each tranche, the Government of Lesotho was required to deposit an equivalent amount of maloti in a Special Local Currency account at the Central Bank.

The Program Grant Agreement between the Kingdom of Lesotho and the United States of America for the Primary Education Project was signed effective September 3, 1991. The main purpose of the Primary Education Project was to provide the MOE with the technical assistance necessary to facilitate the policy reform and institutional development required to ensure success of the overall reform effort of the Educational Sector Development Plan. The USAID process of bidding the competed contract and selection of the Contractor took a full year beyond the signing of the Project Grant Agreement between GOL and USAID. Ohio University (OU) was selected as the Contractor. The contract for the Primary Education Project was signed by OU and USAID on September 21, 1992. Within 40 days following signing of the Ohio University Contract, the first two of the four advisors arrived in Lesotho. The COP arrived shortly after. The fourth advisor, scheduled to arrive at post on or about April 1, 1993, arrived in June. Subcontractors were the State University of New York at Albany and Creative Associates International. Although the original contract was to go through September 1997, the Project was shortened by one year as a consequence of the closing of the USAID/Lesotho Mission. The OU contract was modified eight times within the first three years, with most of the modifications due to USAID rather than conditions related to performance of the contractor or the MOE.

During the life of the Primary Education Project, 132 person months of long-term resident assistance were provided to the MOE. Field advisors included two different Team Leaders/EMIS and Statistics Advisors (one position) for a total of 38 person months; two different Financial Management Advisors (one position) for a total of 46 person months; Testing and Evaluation Advisor for 24 person months; Teacher's College Management Advisor for 24 person months; and Program Assistant/Systems Analysis for 18 person months. Ohio University, as contractor, provided the Principal Investigator, and the Deputy Director was provided by the State University of New York at Albany as one of the two subcontractors. Short-term assistance in the amount of 55 person months was provided through PEP with 27 different short-term advisors being supplied. In addition to long- and short-term assistance, 126 person months of long-term training was provided to MOE officers, all in the United States, and 141 person months of short-term training was provided, mostly in Lesotho and South Africa but some in the United States.

SECTION II.

PURPOSE AND STUDY QUESTIONS OF THE FINAL EVALUATION

PURPOSE OF THE FINAL EVALUATION

This evaluation is one of two specified in the project/program design. The first, the interim evaluation, was conducted in April 1994, one year later than originally planned. The interim evaluation was conducted a year late because the overall implementation was a year behind schedule. The timing of the interim evaluation, however, was conducted at the same point in implementation of the Project as had been intended. The second evaluation, the final evaluation, is being conducted one year earlier than planned due to the Project being closed in 1996 rather than 1997. Because of this aspect, assessment of the Project in terms of the original intended outcomes would be inappropriate. The Statement of Work (see Appendix A) specifies that the evaluation team should assess progress especially since April 1994, the date of the interim evaluation.

The final evaluation is summative in nature in terms of USAID and the Project itself. It is formative in many respects for the Ministry of Education and the Government of Lesotho since the improvement of the quality of primary education is an ongoing process that is never finalized. As a system of education becomes more effective in providing new knowledge and skills to children, new opportunities come for even further enhancement of the knowledge and skills that are built into the curriculum. Therefore, this final evaluation should be viewed as both summative and formative.

STUDY QUESTIONS (INCLUDING SPECIFICS) OF THE EVALUATION

The study topics as outlined in Article III of the Statement of Work (see Appendix A) were organized around three areas with specific aspects delineated in paragraphs following. The three areas were: Policy and Institutional Reforms; Technical Assistance; and Local Currency Expenditures.

Policy and Institutional Reforms

- a. Assess the effectiveness, timeliness and appropriateness of reform implementation to date.
 - 1) Reforms and other objectives substantially attained and prospects of being sustained.
 - 2) Lessons learned by the various stakeholders.
 - 3) Recommend actions to GOL for achieving goals/objectives not yet met
- b. Assess extent to which the NPA approach utilizing CPs was found appropriate including unanticipated effects USAID might consider for modifications for use in other countries.

- c. Review and assess management and monitoring of PEP conditionality, including the roles of the MOE and USAID.
- d. Assess the effectiveness of donor coordination on ESDP activities and identify appropriate actions that should be considered by donors/lenders remaining active in this sector in Lesotho.
- e. Review assessment of program impact for PEP and assess extent to which they may have remained appropriate up to PACD.
- f. Suggest what more the program could have accomplished had it continued to 1997.

Technical Assistance Team

- a. Review scopes of work, accomplishments and role of each long-term advisor in terms of appropriateness of roles and relationship to the NPA approach.
- b. Review accomplishments of the short-term advisors and identify ways in which USAID could improve future use of this assistance.
- c. Assess both long- and short-term training in terms of benefits received for MOE staff and prospects of continuing of the newly arranged regional training venues.
- d. Assess management of the Project in terms of contractor and subcontractor fielding appropriate long- and short-term advisor positions, and support given those positions.
- e. Assess support given contractor by USAID in terms of timely approvals of requests, appropriate collaboration, and competent Agency attention.

Local Currency Expenditures

- a. Review process and effectiveness of GOL annual budgeting, disbursement and reporting action for the mainly capital Sector Development Plan, including the rate of disbursement and lessons learned about financial handling of combined multiple donor funds.
- b. Review the extent to which USAID monitoring via agreed annual budget, bank statements, quarterly reports, and annual audits were appropriate.
- c. Suggest other ways, if any, to handle NPA dollar cash payments and determine the extent to which USAID's approach for Lesotho worked reasonably well or not.

SECTION III.
ECONOMIC, POLITICAL, AND SOCIAL CONTEXT OF THE
MISSION'S PROGRAM/PROJECT

During the life span of PEP, the economic, political, and social context has been one of constant disruption for various reasons beyond the control of the MOE and PEP Project staff. Lesotho is struggling to implement the democratic process. Democracy is a slow process, one that requires participation by the people, one that requires consultation of the stakeholders in developing new policies and legislation, and one in which donors must be patient and willing to support a country as it moves slowly in its implementation of a much more complex system of government than it previously had. It is often easy for developed countries to expect rapid progress in implementing new policies and new directions in providing for the education and other needs of the people once freely elected governments are in place. Lesotho appears to be moving toward stability in its own government, but is also faced with implications not at all yet apparent of the new democracy of South Africa, a giant that surrounds Lesotho.

A number of events within Lesotho and USAID have impacted critically on the implementation of PEP, both in terms of the Project and in terms of the Non-Program Assistance funding. Most of the events listed have occurred in the past two and one-half years, a factor that is significant in the evaluation of the extent to which goals and objectives of the Program/Project have been achieved. Major events are listed below:

- a. Late implementation of the Primary Education Project portion of the Primary Education Program (one year following signing of the ProAg) - November 1992.
- b. Change in governing authority from military to civilian rule - March 1993.
- c. Armed conflict between factions of the army - January 1994.
- d. Free elections in South Africa causing vast reforms that will have many implications for Lesotho - April 1994.
- e. Coup in August 1994 resulting in a stop-work order by USAID for one month - August - September 1994.
- f. Sporadic teacher strikes - August and September 1994 and May to October 1995.
 - Interference with conduct of classes and scheduling exams consuming MOE energies.
 - Salary dispute
 - Demonstrations related to implementation of Education Act 1995
- g. Student unrest at the National Teacher Training College - April 1995.

- h. Closure of the USAID/Lesotho Mission - September 1995.
- i. Short staffing in MOE, especially in the key Planning Unit, throughout the life of PEP.
- j. Continuing shortage of qualified teachers in the primary schools.
- k. Limited capacity at NTTC especially due to inability to expand dormitory accommodation, but also due to difficulty in recruiting qualified lecturers and other staff.
- l. Personnel changes in nearly all aspects of the project from the Minister of Education to heads of departments, within USAID, and the Primary Education Project.
 - Departure of first team leader and EMIS advisor (December 1994) just 12½ months into the Project with an interim of seven months before the replacement arrived (July 1994).
 - Change in USAID Project Officer five times during life of the Project. The USAID Project Coordinator came one year after the Primary Education Program began.
 - Changes in key MOE administrative positions including: Minister, Principal Secretary, Director of NTTC, Head of the Planning Unit, and other staff positions

All of these events hindered both PEP Long-term Advisors and MOE personnel in progressing most effectively toward achieving goals and objectives of the PEP project. In spite of the above conditions/events, much progress has been made toward achieving the goals of the Program/Project. No one could have predicted at the outset of the Program/Project that such events would have occurred. Without doubt, the most significant factor in not achieving fully the stated goals was the unexpected early closure of PEP and the cancellation of the fourth tranche of NPA funding. The original PACD would have provided the necessary time to fully implement the intended CPs and Project goals and awarding of the fourth tranche. Even though the Project was closed a year earlier than was originally anticipated, projects in other countries have ended at the time of closure of the Country Mission. (Botswana is an example of such closure.) At least in Lesotho, PEP was retained one year past closure of USAID/Lesotho. The additional year gained was valuable in strengthening the quality of primary education, even though much greater progress could have occurred if the Project had gone to the original closing date in 1997.

SECTION IV. EVALUATION TEAM COMPOSITION AND STUDY METHODS

TEAM COMPOSITION

The evaluation team was composed of two members who have both worked in Africa. The team leader has 43 years experience in the field of education in the United States and other countries. His international experience has been in Panama, Germany, and nearly five years in Southern Africa, including work on USAID-funded projects at the University of Zimbabwe and the Ministry of Education in Botswana. While at the University of Zimbabwe, he coordinated collaborative research in the Department of Curriculum Studies and the Human Resource Research Centre. In Botswana, he served as Curriculum Coordinator Advisor through the Basic Education Consolidation Project.

The second team member has 18 years experience in the field of education in Nepal, the United States, and Uganda where she spent 2½ years as an education officer with UNICEF. In that capacity, she assisted the Ministry of Education in developing a complementary primary education program which will provide minimum basic education to two million children currently not in school. In Nepal, she taught in the Institute of Education.

STUDY METHODS

Study methods included review of documents/reports prior to interviews and structured interviews with the USAID Coordinator, USAID Assistant Coordinator, the Primary Education Project Chief of Party, the Financial Management Advisor, Principal Secretary of MOE, Principal Secretary of Finance, Director of the Planning Unit, and various other MOE department heads and staff. Field visits were made to two schools and a new District Resource Centre building. Time was a limiting factor especially since interviews were arranged beginning the end of the second week on site.

Review of documents/reports

Just prior to departure from the United States, the evaluation team was sent the first documents (14, with half of the documents for each team member) for review. During the first two weeks, the team was given an additional 64 documents/reports to review. In total, the team reviewed 78 documents/reports listed in the bibliography of this report. Some documents included multiple sections or amendments. Ten documents were OU contractor quarterly and annual reports, including the *End of Project Report Draft*. Eight documents were prepared by long-term technical advisors. Twenty-five were prepared by short-term consultants, of which four were completed during 1993 and 1994 and 21 were done in 1995-1996 during a 19 month period. Six

were USAID/GOL contract agreements and implementation reports, five were USAID publications and reports including the interim evaluation of the PEP Project, and four were published by the World Bank. Fifty-seven of the documents reviewed were written after the interim evaluation report was submitted in April 1994. Of these 57 documents, ten were Project quarterly, annual and end-of-project reports, 29 were prepared by long- and short-term advisors brought in by OU and the subcontractors, and three were reports of participants in short-term training in the United States and South Africa. All documents reviewed are listed in Appendix C.

Interviews

Interviews were structured in that the evaluators developed questions based on reading of documents and topics identified in preceding interviews. During the interviews, individuals were asked to identify what they perceived as the greatest contributions of PEP as well as to identify areas that could have made a greater contribution to the improvement of the quality of primary education in Lesotho. Persons interviewed were quite direct in their responses and suggestions. Unfortunately, the World Bank representative was not available to the evaluation team during the time in Lesotho.

Interviews were held with key informants from the following groups and departments: USAID Coordination Office; PEP Project; Principal Secretary, MOE; Planning Unit; EMIS; National Curriculum Development Centre; Field Services (Inspectorate); Primary Inservice Education Program; Secondary Education; Teaching Service Department; Educational Facilities Unit; District Resource Teachers (DRTs); National Teacher Training College; School Supply Unit; Examination Council of Lesotho; Principal Secretary, Ministry of Finance; two church groups; individuals participating in long- and short-term training; and teachers in two primary schools. In cases where further clarification was needed, follow-up contacts were made. Persons and agencies included in the interviews are listed by name in Appendix D.

Field Visits

Field visits were made to two schools and the new District Resource Centre just completed in the Leribe District, approximately 130 kilometers north of Maseru. Both schools were away from city centers. The first was a small school in a somewhat remote area lying among the hills. The second was a community school with a larger enrollment. The team was accompanied by one of the staff from the Educational Facilities Unit who was knowledgeable regarding the location and construction of new classrooms, and by an Education Officer from the Leribe District Office.

The first school was still using the original classroom block with a dirt floor in the middle third of the classroom, old benches for seating, and no desks. Two classes of upper primary were meeting

in the original single-classroom block. This school provided an example of conditions in schools prior to the coordinated donor efforts to build and furnish classrooms in the first three grades. The new classroom block contained three newly furnished classrooms with children in Standards 1-3 actively engaged in learning. Teachers in these classrooms were making use of the quarterly newsletters still published and distributed by NCDC and expressed appreciation of support given them by the DRTs. Both the newsletters and the DRT program were initiated under the Basic and Non-Formal Education Systems (BANFES) project, a previous USAID-funded project. One teacher commented "Because of DRTs, I am motivated. They have helped us tremendously." The new furniture was used to good advantage with some grouping of children and appropriate learning activities supported by the flexibility of seating. The team also observed the presence and use of instructional materials in the areas of mathematics and science. A fourth new classroom is waiting for completion with labor to be supplied by the local community.

At the second primary school, no new classrooms have been built through the multi-donor efforts, but classrooms have been built by members of the community. Some classrooms have been refurbished with World Bank funding. New furniture for these refurbished classrooms has been provided through USAID NPA funding. This school still has problems with overcrowding as evidenced by 110 pupils taught by two teachers in a single Standard 2 classroom. The Radio Program (initiated under BANFES) was used by teachers in this classroom. During the visit to the school, the head teacher requested assistance in non-traditional classroom arrangements of tables. The Education Officer arranged a time in which she could assist the head teacher with ways of arranging the new tables and seating to accommodate more collaborative learning activities.

Reporting and Feedback Sessions

A reporting/feedback session was held August 23, 1996, during which the evaluation team met with the Director-Planning Unit, Director-National Teacher Training College, Chief Inspector-Field Services, Chief of Party-Primary Education Project, USAID Coordinator, and USAID Assistant Coordinator. A separate session was held with the Director of the National Curriculum Development Centre on August 28 to get feedback regarding references to curriculum development and the curriculum development process. Each individual had been provided with a preliminary draft of the final evaluation report on August 21. Both oral and some written feedback were provided for the purposes of achieving accuracy of statements in the report and to provide suggestions for strengthening areas of major achievements and recommendations. The evaluation team also met with the USAID Project Officer on August 26 and August 28 for purposes of obtaining feedback on revised preliminary drafts.

SECTION V. FINDINGS OF THE STUDY

The findings of the study center around the three major areas of focus: Policy and Institutional Reform, including the Conditions Precedent; Technical Assistance; and Local Currency Expenditures. Findings from review of documents/reports and from the interviews are merged in the discussion that follows.

POLICY AND INSTITUTIONAL REFORM

Education Act 1995

A major accomplishment stimulated by the Primary Education Program is the passage of the Education Act 1995. The Act is a monumental step forward in formalizing educational policy and bringing about clarity in the roles to be played by the Government of Lesotho, the Ministry of Education, and school proprietors as each attempts to bring about a higher quality of education in Lesotho primary schools. Consultation is embedded historically in the culture of the Basotho. It is still considered an important aspect of decision making under the democratically elected government. The democratic process takes time to obtain consensus while other types of government often make quick decisions but discover that actions taken may not be in the best interests of the people. A great deal of time and energy was devoted to bring about the passage of the Act. The Basotho are to be commended for using the democratic process in bringing about this important legislation.

The Act incorporates registration of all schools operating in Lesotho, mandates and specifies membership and responsibilities of Management Committees for clusters of no more than eight primary schools, mandates an Advisory School Committee for every primary school that includes teacher and community representatives and specifies its role as that of advising the Management Committee, mandates school boards for post-primary schools, establishes a National Curriculum Committee to review the curriculum and advise the Minister through the Principal Secretary, and requires persons employed as teachers to be registered with the Teaching Service. The purposes and objectives of the Act include assurance that:

- (a) every child is provided with opportunities and facilities to enable him or her to develop physically, mentally, morally, spiritually and socially in a healthy, normal manner and in conditions of freedom and dignity;
- (b) a child who is physically and/or mentally handicapped is given the special treatment, education and care required by his or her condition;
- (c) the best interests of the child shall be the guiding principles of those responsible for the education and guidance of the child.

The Act also states "It shall be the duty of a parent of a child of school going age to cause that child to receive full time education suitable to his age, ability and aptitude by regular attendance or otherwise."

The above provisions of the Act provide a sound basis for improving the quality of primary (basic) education in Lesotho and is an important step toward achieving the Government's commitment to "Education for All." The Act has not yet been fully implemented. One of the short-term consultancies of the Primary Education Project resulted in a valuable training guide for members of school committees entitled *Role and Function of School Committees (Training Component)*. The guide has already been used in the training of members of school committees and should prove to be an important source of information for those who serve in this important role. The guide complements and assists in the implementation of this aspect of the Act.

To fully implement the various provisions of the Act, the MOE should spell out implications of every aspect of the Act and then determine a time line and responsible agencies for implementing and monitoring enforcement. This plan should be developed as soon as possible and communicated to all stakeholders, including proprietors of schools. Early communication of the plan and time lines to stakeholders will avoid further complications brought about through inaccurate speculation and false "rumors" surrounding requirements of the Act.

As a means of fully implementing the Act, the MOE should consider seeking assistance from other agencies with experience in social/community participation and involvement such as the International Institute for Education Planning (IIEP), UNESCO. IIEP is developing a programme related to "collaborating for educational change." Broad community support is needed to successfully implement the management committee and advisory school committee approach prescribed in the Education Act 1995. Therefore, it would be appropriate to make an intensive effort through consultation with NGOs, teachers' groups, private enterprises and village committees along with parents and church organizations. A strong social (community) mobilization program should be in place that will sensitize the community/parents to their role in improving the quality of the school their children attend. Materials and programs such as that developed by IIEP could provide a model(s) for developing implementation plans that would prove effective in developing local community support.

Resources for Primary Education

Significant progress has been made in increasing resources for primary education in Lesotho since the initiation of the Primary Education Program. GOL has increased funding from 17 percent of the total budget in 1990/91 to 24 percent in 1995/96. The total recurrent expenditures for primary education have increased from 47 percent in 1990/91 to 51 percent in 1994/95. Per pupil

cost (recurrent expenditures) have progressively increased from R86.15 in 1990/91 to R242 in 1994/95.

The GOL intends to maintain this increased support for primary education even with closure of the USAID NPA funding, according to information obtained during the interview with the Principal Secretary/Finance. Continued funding at this level will be difficult, but alternative approaches are being considered including a possible increase of pupil fees and a short-term increase of teacher/pupil ratios. The GOL is urged not to increase the teacher/pupil ratio since the ratio is already 50.1 to 1 with nearly 200 classes in primary schools exceeding 100 pupils. Quality of primary education needs further reduction of teacher/ pupil ratios. Even temporary increases will delay improving further the quality of education Lesotho needs at the primary level.

The addition of nearly 1,500 new teaching positions in the primary schools has been a positive achievement over the life of the PEP. Along with the increase of positions, about 750 qualified teachers have been added including newly certificated NTTC graduates and inservice training programs for unqualified practicing teachers. Although this is a significant step forward, more than 1,700 unqualified teachers still hold positions in the primary schools. Extensive effort is needed to begin to increase substantially the percentage of qualified teachers at the primary level.

Marked progress has been made in the reduction of underage pupils in Standard 1 and what appears to be some reduction in overage students in the primary grades. The data gathered to this time is not sufficient to determine the extent to which overage pupils are attending primary school due to successive retentions or due to re-entry after not attending school. Government policy specifies that pupils should not be retained more than two times during his or her primary school experience. This policy can have long-term impact on the "double cost" to the government in supporting pupils who repeat more than two years in Standards 1-7. In view of the insufficient data collected, it is important that MOE make provisions for collection of more specific information related to both the number of retentions of pupils during the cycle of attending Standards 1-7 and the extent to which three or more retentions contribute to overage pupils in Standards 1-7. Associated with the overage problem is one of drop-outs. Provisions should be made for extending alternative education opportunities for the "overage" youth who have dropped out of primary school. Refusal of education to these youths can contribute to an increasing burden on the national government rather than producing citizens who can make a positive economic and social contribution to the country. The ESDP stated a broad goal of providing opportunities for continuing education through non-formal programs in several areas. To this date, little attention has been given to this important goal.

Planning Unit

The Planning Unit operates as the "hub" of the Ministry of Education. The Director has the responsibility for providing support data for increased budget allocations, personnel positions, locating donor funding for various programs in the Ministry, preparing the Annual Plan and the Annual Implementation Plan, and many other responsibilities. She is a dedicated professional who has been instrumental in achieving many of the successes associated with the Primary Education Program. The Unit is severely understaffed, yet much has been accomplished that will make a real impact on implementation of policy and bringing about needed institutional change.

The MOE responsibility for supplying numerous data to verify that CPs have been met has fallen mainly on the shoulders of the Director and her severely understaffed Unit. Many of the normal work activities had to be "put on hold" during the times completion of the CPs had to be documented. This placed an additional burden on the Unit staff. The Planning Unit and its Director are commended highly for dedication and commitment shown in providing leadership and support for the Ministry and its various departments.

Staffing the Planning Unit to its full capacity should be given highest priority.

Curriculum Development and Assessment

Another important step in policy and institutional reform is the strengthening of the primary school curriculum development process. The National Curriculum Development Centre (NCDC) has revised the total primary school curriculum (Standards 1-7) through the use of subject panels including representatives from teachers, NTTC, and NUL. The new syllabi are being trialed in 50 schools throughout Lesotho and are currently being revised with input from the trial schools. The syllabi will be published with Standards 1-5 issued to schools by January 1997. Checklists for three subjects (mathematics, English, and Sesotho) for Standards 1-3 have been developed for the revised curriculum and are being used by teachers in the trial schools. Teachers' guides are being developed and will be distributed to teachers during 1997. In addition to strengthening the subjects in the present primary school curriculum, NCDC has added new curriculum specialists in the arts and in guidance and counseling. New concepts are being added across the curriculum including environmental education, population education, and HIV/AIDS awareness. Greater emphasis is to be placed on life skills in the primary/basic education curriculum. There is evidence that schools throughout Lesotho are "excited" about the revised curriculum. Even personnel in "illegal" schools have been copying revised syllabi distributed to "legal" schools with the intent of implementing it in their own schools.

A short-term consultancy was designed to assist the NCDC in developing syllabi and in starting to

develop a curriculum database. All primary subject specialists were given training in July 1996 in curriculum database skills. The NCDC staff indicated the consultant had left them with solid practical curriculum development skills. The Testing and Evaluation Advisor, a two-year position in the Project, also worked with NCDC staff in writing test items targeted to stated objectives in the curriculum, developing an item bank, and using results of achievement tests in revising the curriculum.

The curriculum development process, to be effective and sustainable, usually requires from five to seven years to complete. The process of curriculum development is quite complex, one that requires strengthening skills and knowledge across subject lines and from grade to grade. Skills and knowledge learned in one subject that are important prerequisites to learning concepts in another subject must be carefully orchestrated if quality education is to be delivered. A review of the primary school syllabi indicates that NCDC is giving attention to this important aspect of developing an effective curriculum.

NCDC is also beginning to use feedback from the Standard 3 Achievement Tests to analyze strengths and weaknesses in the current curriculum and incorporate information gained to further strengthen the curriculum. DRTs and classroom teachers were trained in administration of the Standard 3 Attainment Tests. Teacher awareness of the value of testing and using the Checklists as diagnostic tools for strengthening learning in their classrooms has been increased through their involvement in the process.

Continuous assessment was a need identified in the ESDP because "high rates of repetition characteristic of the primary school, as well as the low level of achievement, render the introduction of a sound system of competency-based continuous assessment a matter of high priority (p. 58)." This is still an area needing attention. A more descriptive term to be considered is "curriculum-based continuous assessment" rather than "competency-based continuous assessment" since the concept is to assess a child's progress in adequately achieving the goals and objectives stated in the curriculum. The concept of "curriculum-based" assessment also tends to more directly focus the attention of both classroom teachers and of test makers directly on the curriculum goals and objectives rather than on what might be non-curriculum associated competencies.

An essential ingredient of effective curriculum development and implementation in the classroom is that of involving representatives of the various stakeholders in the process of developing the curriculum. This representation is found not only on subject panels at the curriculum development stage but extends to the National Curriculum Committee where curriculum is approved. The National Curriculum Committee includes representation from the following groups: Secondary Education Unit; Inspectorate; NCDC; NUL; NTTC; Technical and Vocational

Training; ECOL; teachers; three educational secretaries (churches); Lesotho Agricultural College; National Health Training Centre; Primary Education; and Tertiary Education. Teachers are making valuable contributions as members of subject panels. Ownership develops as teacher input is invited and used in further strengthening the curriculum. Ownership brings commitment to effective implementation of that curriculum. NCDC has engaged in an extensive, thorough trialing process that can be expected to increase the effectiveness of teacher implementation of the revised curriculum. Often, donor-supported projects with curriculum improvement components “force” the curriculum development process, avoiding needed consultation, then later donors wonder why sustainability was not achieved. Process is just as important, if not more so, than the product since process is sustainable and the product must always be revised again at a later time. It appears that a workable, practical curriculum development process has been developed in NCDC.

The curriculum development process in Lesotho includes the following steps:

- a. A national timetable is developed for the purpose of developing appropriate allocations of time to the various subjects in the curriculum.
- b. A national seminar precedes revision of syllabi to identify goals of the basic education program and then to translate those goals into subject curriculum goals.
- c. Subject panels (one for primary and one for secondary in each subject) are organized. The membership of panels includes practicing teachers (at least half of the membership), representatives from various agencies such as the Ministry of Health, and representatives from the National Teacher Training College and the National University of Lesotho.
- d. Subject curriculum specialists from NCDC meet with appointed curriculum subject panels in developing and revising curriculum, utilizing such data as results of Standard 3 Attainment Tests, national goals, and other policy documents.
- e. Officers coordinate content across the curriculum and sequentially within all subjects
- f. Retreats are held that include NCDC officers and one member from each of the subject panels for the purpose of ensuring that coordination across subjects and appropriate sequencing is built into the syllabi, and revising and finalizing the final draft of the primary education syllabi. The retreat serves as staff development as well as further improving the overall quality of the primary education syllabi and providing orientation of DRTs, the Inspectorate and NTTC staff in regard to effective use of the revised syllabi.

- g. Workshops are held for teachers in schools where revised syllabi are to be trialed.
- h. Syllabi are trialed in schools by practicing teachers with monitoring by NCDC staff.
- i. Suggestions from teachers in trial schools are reviewed and appropriate suggestions incorporated into syllabi.
- j. NCDC officers coordinate learning outcomes and content across subjects in each standard and sequentially through all subjects from Standard 1 through Standard 7.
- k. The National Curriculum Committee reviews and approves drafts of syllabi.
- l. Curriculum resource persons train NCDC officers in effective use of revised syllabi to prepare them for dissemination of syllabi and training of teachers in using the syllabi.
- m. Draft revisions of syllabi are published.
- n. Draft revised syllabi are distributed through workshops held for the purpose of proper implementation of revised syllabi.
- o. Revised syllabi are implemented in schools throughout Lesotho.
- p. Results of the Standard 3 Attainment Test focusing on Sesotho, English and Mathematics (sample of 100 schools) and results of checklists (for Standards 1-3 Sesotho, English, and Mathematics) are used to check the quality of the overall curriculum, both in terms of strengths and weaknesses.
- q. The curriculum development process begins anew with testing and teacher feedback.

District Resource Teacher Program

The District Resource Teacher program, initiated during the BANFES project and now becoming a part of the regular MOE budget allocation, continues to be a highly respected program. District Resource Teachers may be the key to improving the quality of primary education in Lesotho. Teachers appreciate the assistance DRTs give in helping them become better teachers. The School-based Study reports completed through the Primary Education Project include comments regarding the effectiveness of the DRTs. This group of teachers has been a major force in bringing about institutional change in primary education in this country. The completion of five new District Resource Centres (DRCs) with funding from USAID will offer support to the DRTs

as well as to other MOE units in an effort to decentralize at the district level. It is anticipated that five additional DRCs will be built. Each of the ten districts of the country will then have its own DRC. These centers will bring services much closer to the outlying schools. The design and sandstone construction of the DRCs will provide long life with minimum maintenance required. Because of the capability and professionalism attributed to DRTs, they are often asked to take on additional tasks beyond their normal responsibilities. The MOE should review the extent to which this occurs and develop procedures that retain the focus of the DRT role on improving the quality of instruction in the schools rather than on other assigned tasks that may reduce this focus.

Inspectorate

During the life of the Primary Education Program, the Inspectorate has been increased from ten officers to 53 officers. The DRT Coordinator received a masters' degree from OU with concentration in primary school staff development through the long-term training component of the Project. That is a significant increase in support of field services provided schools in the country. The Inspectorate is still understaffed since each officer must visit about 200 primary schools per year if each school is to be visited even once during the year. Schools with particular problems, including those with a large percentage of unqualified teachers, should be visited on a more regular basis to assist them in improving quality of education in the local community being served. In addition to the task of school visitation, the Inspectorate is commended for supporting the CP verification process through the collection of information required by USAID for release of the second tranche and the pending release of the third tranche of USAID NPA funding. In the case of most CPs, the required verification would not have been possible without participation by officers in the Inspectorate, including the DRTs. Responsibility for providing verification often pulled officers away from their normal responsibilities to focus on whatever additional verification was requested for meeting one or more of the CPs.

A formalized approach has been developed for collection of EMIS data through the regular participation of both the DRTs and other officers in the Inspectorate. That process should become a regular part of school visits to broaden the data source and to avoid such "last minute crushes" on officers to collect information. Decentralization of the Inspectorate through the District Resource Centres could ease the problem of data collection as well as bring other services closer to the schools being served.

A close working relationship should be developed between the Inspectorate and the National Curriculum Development Centre since officers in the inspectorate can assist much in ensuring implementation of the intended curriculum in the primary schools. The Inspectorate should participate in inservice workshops offered by NCDC to enable them to become facilitators of change as well as enforcers of standards in the schools. Workshops similar to those involving the

DRTs would enhance the capability of the Inspectorate to provide assistance to schools as each school strives to deliver quality education for the children enrolled. NCDC should be encouraged to include officers of the Inspectorate in workshops offered DRTs, a process that would make it possible for both DRTs and the Inspectorate to reinforce each other in this important mission.

Educational Management Information System

The strengthening of the EMIS through the Primary Education Project is providing support for bringing about both policy and institutional change. On several occasions during interviews, it was apparent that data collected through the EMIS is being used to support increased budget requests for the MOE and also to influence educational policy. The Director of the Planning Unit also regularly makes use of information collected through EMIS and the several special studies conducted under the Primary Education Project to support changes in both services offered through the MOE and in improving the quality of the education system.

The EMIS needs to be expanded to collect additional data related to the quality of primary education. An area already noted in this report is the need to collect additional information that provides more definitive data regarding the degree to which pupils may be retained more than two times as they move from Standard 1 through Standard 7, the reasons for the retentions (whether due to lack of achievement of stated goals and objectives, parent requests, or for other reasons), and whether or not overage pupils are attending primary schools because of retention or for other reasons not associated with retention.

National Teacher Training College

The National Teacher Training College is the only institution in Lesotho that trains teachers for the primary school. NTTC has had a history of being short staffed and being without stability in leadership. During the two-year assignment of the NTTC Management Advisor with the Primary Education Project, there were three Directors of the College with the third one arriving July 1994 near the end of the advisor's term. This succession of Directors limited the overall impact the NTTC Management Advisor could have made to provide the Director with enhanced management skills and providing greater impact on overall management of the College. The current Director has been in post for the past two years and is providing effective leadership to the College. He benefited from short-term training arranged at SUNY-Albany by the NTTC Management Advisor after the Advisor returned to the United States.

Recruitment of persons to fill the top-level positions, as well as recruitment of lecturers, has been difficult largely due to placement of the College under the Public Service system. Lecturers can earn larger salaries teaching in the primary schools than teaching at NTTC. This factor has

contributed to low morale among staff at the College. In addition to the problem of salaries, the need to rely on the Public Service seriously delays the employment of qualified lecturers. This factor hampers the ability and capacity of the NTTC in providing quality preparation of teachers at both the primary and the junior secondary levels, but is especially critical in the primary education teacher training program. Lack of dormitory space for students also limits enrollment to the point that it is impossible for the College to even begin to provide the numbers of qualified teachers needed in the primary schools.

Even with these handicaps faced by NTTC, much progress has been made during the life of the Primary Education Program. The following positive changes have been or are being implemented at NTTC:

- a. A Staff Performance Evaluation Plan has been developed and will be implemented at the beginning of the new year. The plan was developed with the input of the NTTC Management Advisor and a short-term consultant. The plan has been approved by the senior management team of the College. The plan is designed to assure that each person, both academic and non-academic staff, understands clearly the expectations for his or her position and will be evaluated on a regular basis based on the expectations for the position held. The implementation of the Staff Performance Evaluation Plan is a big step forward in upgrading the quality of teacher training at the College.
- b. Improved, more efficient procedures have been designed for preparing the Annual Plan and developing a planning process for the College. These procedures have been implemented by the current Director.
- c. The restructuring of the College places greater focus on mission thrusts. The three divisions—primary, junior secondary, and inservice—have recently been strengthened by the appointment of coordinators and deputy coordinators for each division. These divisions are now permanent components of the NTTC structure. The College now has a new program designed specifically for the training of primary school teachers.
- d. Under the Primary Education Project, four staff members received masters' degrees from OU and have returned to their teaching assignments with new skills and knowledge. One returnee stated that he was appreciative of the preparation he gained in primary level education at OU. Masters' degrees were earned in the following fields: primary and general education; educational administration; home economics and counseling; and primary education and science. The long-term training of these four NTTC staff members has contributed much to upgrading the teaching staff of the College. The NTTC Management Advisor facilitated arrangements for this long-term training.

e. The teacher training curriculum was improved through several workshops offered by a short-term consultant under the Primary Education Project. Workshops focused on development of syllabi for various programs in the College. The most significant outcome was the development of a new program for early primary specialization. This is the first time the College has offered this important specialization. The NTTC Management Advisor also provided assistance to tutors as they improved the quality of course syllabi.

f. The overall quality of primary school education has been significantly improved with the completing of the first cycle of the 3 ½-year inservice program enrolling 450 newly qualified practicing teachers and 2 ½-year inservice program for training 105 newly qualified head teachers. Although the inservice program does not add new teachers to the teaching force, it does contribute to strengthening the quality of primary education by increasing the number of qualified teachers in the schools. A new cycle is to begin soon without the help of USAID funding. It appears that these programs can and will be sustained by the GOL since it has been successful in the first cycle.

g. Through assistance provided by the EMIS component of the Project, the accounting system was computerized (ACCPAC) and a student database system (ACCESS) was developed and is in the process of being implemented for use in processing student admissions and providing grade reporting information.

Autonomy of the National Teacher Training College has been an ongoing issue. Attempts have been made since 1993 to have a bill successfully drafted and presented to Parliament. The Director and the Director of Planning, among others, are again drafting a bill. A major factor that has delayed introduction of the legislation is difficulty in expediting approval of the proposed bill by the Law Office prior to introduction in Parliament. If granted autonomy, many aspects of governance and administration will be spelled out. Recruiting staff would be less difficult, since autonomy would place responsibility of hiring staff directly on the College rather than be delegated to the Public Service. Many delays in advertising, recruiting, and filling positions with appropriate qualifications occur due to Public Service policies and procedures.

Recruiting of staff is still difficult although progress is being made toward filling vacant positions with the recent appointments of a Registrar, Acting Bursar, and Warden. In addition to the recruitment problem, capacity is a major deterrent to increasing output of primary school teachers. The hostels which were to be built with USAID NPA funds will not be built with USAID funding due to the cancellation of the fourth tranche. Without increased accommodation for students, the annual output is likely to remain at the current rate of approximately 130 primary teachers per year. Alternate sources of funding are being sought for increased dormitory space and for other needs in expanding output of primary school teachers at NTTC.

Primary School Leaving Examination

The Primary School Leaving Examination (PSLE) is currently being administered through the collaborative efforts of the NCDC, the Planning Unit, and the Inspectorate. This responsibility takes an enormous amount of time, reducing the effectiveness of officers in the two units in carrying out their roles as curriculum developers or as planning officers. The ESDP document states "although no exact estimation is available, it appears that PSLE activities currently occupy 3-4 months of DEO (Inspector) time (p. 57)." Security of examinations is also a potential problem through the current arrangement.

The ESDP 1991/92 - 1995/96 specified that the PSLE would be gradually transferred to ECOL beginning in 1993 with final transfer of all functions in 1995. As a means of providing a smooth transfer to ECOL, and as a means of assuring that ECOL had the necessary hardware, the GOL provided ECOL with items requested by the Registrar as essential to handling the PSLE. The needed hardware and other items were procured for ECOL more than two years ago, yet no progress has been made in transferring the responsibility for the PSLE to ECOL. ECOL has both the expertise and the experience in administering school examinations including the ability to provide examination security, so it is the logical agency to assume responsibility of administering the PSLE along with the Junior Secondary Certificate and Cambridge examinations already assigned to it.

Lack of staff and proper procedures for recruiting staff have been the primary issues related to the Registrar's unwillingness to accept transfer of the PSLE over the past two years. It is essential that the agencies/units involved meet to bring about this transfer without delay. As an outcome of the interviews, it is recommended that one or more meetings be called involving the Director of the Planning Unit, the Director of the National Curriculum Development Centre, the Registrar of ECOL, and the Principal Secretary of the Ministry of Education. It is further suggested that the Principal Secretary chair such meetings. Unless the issue is resolved immediately, it is further suggested that the Minister of Education assume the role of chair and work out a satisfactory resolution of the problem.

Conditions Precedent (CPs)

MOE officials participated with USAID officials in identifying and determining meanings of CPs at the outset of the program. However, the negotiation for the most part was with officials who no longer occupy key positions, both in the MOE and USAID. USAID Project Implementation Letter #2, November 1991, signed by both MOE and USAID officials included the original CPs and the documentation of compliance presented in matrix form. On September 3, 1993, USAID submitted a letter to MOE (Acting Head, Planning Unit) thanking MOE staff for chairing and

participating in “two days of Joint Review Meetings on Bank and USAID conditionalities.” The letter also reminded the Acting Head of the Planning Unit of CPs still to be met for Tranche II. During the first week of February 1995, a one-day “Workshop on Conditionalities for the Release of Tranches III and IV For Implementation of Education Sector Project” was held with both MOE and USAID officials participating for the purpose of focusing on “actions required to meet these next two groups of CPs during ‘95 and ‘96 (PIL #17).” The USAID Coordinator reported that, as a consequence of that workshop, “modification of documentation in two or three cells were changed by mutual agreement while agreement was not reached on the CP relating to Education Act legislation.” Minutes, if any, of such meetings were not made available for review by the evaluation team. If minutes had been taken during meetings between USAID and MOE representatives, it would be less likely that misunderstandings would occur between MOE and USAID about what agreements had been reached.

Regardless of the extent of involvement on the part of the MOE officials, interviews with the departments affected by CPs often indicated that the meanings of the CPs were never communicated effectively with the wider audience. Individuals in departments and representatives of the church schools often did not understand what was meant by some CPs. There is considerable evidence that some stakeholders see the CPs as counterproductive. As a consequence, some stakeholders have negative feelings toward USAID/Lesotho. This is especially true in the way in which the churches view the passage of the Education Act 1995. Perceptions held by various stakeholders may not be correct in terms of fact; however, perceptions are real. Attempts to communicate the full picture often alters perceptions so that perceptions held become more closely aligned with reality.

Major concerns and perceptions of CPs held by various stakeholders who were interviewed included the following:

- a. Many of the Conditions Precedent were beyond the control of the MOE.
- b. A more flexible interpretation of meeting CPs would be desirable since the opinion is held that the interpretation was too literal and sometimes went beyond what was believed to be the original intent of the condition.
- c. The preparation and use of written guidelines, rather than specific interpretations of CPs, was suggested as a more helpful and productive approach.
- d. Sometimes certain actions are driven by CPs—such actions are not always the best actions to take under changing conditions in the country, the surrounding region, or on the international scene.

e. The CP developed in regard to Teachers' Guides disregarded the time required for the development of effective guides and the fact that new inexperienced staff slowed down the process of developing the guides. Even participant training contributed to slowing down "timely" completion of the guides due to the loss of on-site time while staff was away on long-term or short-term training. Donor efforts to strengthen professional competence may cause temporary delay in meeting such requirements as CPs.

f. The MOE as the implementing agency perceived that rigidity in interpretation of meeting CPs by USAID was a significant problem throughout the Program/Project.

g. MOE personnel stated that, in the beginning, they didn't fully understand that interpretations for satisfactorily meeting CPs varied with changing USAID personnel.

h. The verification of some CPs was a difficult process for the MOE, especially when completion of the CP was beyond the control of the MOE itself. An example is the required passage of legislation (Education Act 1995) to meet the second tranche. USAID did finally agree to interpret the conditionality as meaning that the Act should be written and presented to appropriate officials, but not require passage of the Act prior to the release of the second tranche. The Act was passed by Parliament in December 1995 (three years later than anticipated when the CP was written in 1991) but the process required negotiating with stakeholders in the bill, providing time for discussion in Parliament, and final passage took much more time than the original developers of the CPs anticipated. The Act was published January 17, 1996. A new government was responsible for the passage of the Act.

In other instances, the meeting of certain CPs required involvement of agencies outside MOE. During the interviews, the perceptions held by several persons was that the loss of the fourth tranche was a result of the rigid interpretation of the CP related to the Education Act. In fact, the fault may lay with serious delays in furniture delivery. Furniture delivery was delayed largely due to the specification of a certain type of wood available from only one supplier in South Africa, which was considered essential since it was strong enough to withstand the rigors of traveling by truck over rough mountain terrain when being delivered to schools.

A general theme throughout all interviews was dissatisfaction with the manner in which CPs were interpreted by USAID. Comments showed frustration with what officers perceived as "rigid, inflexible interpretation" of CPs, interpretation that they perceived to ignore rapidly changing conditions in both the country and the region around them. The problem of "meaning" of wording of CPs is also recognized as a problem in interpreting satisfaction of CPs in recent USAID documents requesting approval of conditionalities. It appears questions have been raised by both parties (MOE and USAID) in regard to what specific words mean as far as fulfilling

requirements are concerned. A quotation from USAID's publication *Basic Education in Africa* (1995) suggests that conditionalities should be flexible and acknowledgment should be made of the limits to the conditionality.

In general conditionality should be flexible, match the specificity of the conditionality with the stage of government's reform effort, and select the scope (policy or implementation) appropriate to the country's circumstances. Acknowledging the limits to conditionality is also important; technical problems are not likely to be overcome simply by concocting a performance condition. Conditionality management is a time-consuming process; managers must be sure that conditions are understood, performance criteria are articulated, and reporting formats are specified. Conditionality can sometimes be misconstrued as a proxy for reform implementation, with the emphasis misplaced on legalistic details rather than the intent. (*Basic Education in Africa*, USAID, 1995, p.xiii).

In spite of the frustration faced in meeting conditionalities, MOE personnel and other stakeholders voiced commitment to the concept of requiring conditionalities to qualify for increments of donor funding. Such conditions were viewed as essential to implementing reform. This aspect was also noted in the July 1996 report *Impact of the PEP Policy Initiatives on Lesotho Primary Education* that states "there appears to be little resistance to the central notions implied in the conditionalities but growing passive resistance to the implications of the conditionalities as they may become enacted in operational terms (p. 7)." At times, it appears that the leverage of CPs is a strength in that other government agencies must provide resources to continue and implement needed reforms in education, but at the same time such conditionalities not met by agencies beyond the control of the MOE can hold up the next tranche needed for continued progress by the MOE. Departments within MOE shared frustrations in that one department might meet conditionalities under its control while other departments for various reasons might not meet conditionalities, a factor that holds back funding from those who have met requirements. An example was the delays faced by the Educational Facilities Unit in obtaining furniture that met specifications.

One factor inherent in the use of CPs is that documentation by the MOE and GOL personnel of actions taken and verification of that documentation of actions by USAID or other donor personnel is quite time consuming.

Performance conditionality has been successful in achieving major reforms in the education sector particularly when the focus is on affecting the quality and efficiency of primary education. The early design of the CPs are critical. They should be designed in collaboration with the MOE and preferably involve affected departments. Not only should the MOE collaborate in the development of the original wording of the CPs, but an important part of the process should be

the development of clear guides to the interpretation of appropriate ways of verifying satisfaction of the conditionality. During the life of PEP, it was reported to the evaluation team that five different USAID project officers/coordinators were involved in interpreting whether or not conditionalities had been satisfactorily met. As indicated in the preceding paragraphs, well-documented minutes of meetings would have been a valuable guide in interpreting the meaning of the CPs and verification required. The first tranche was released even prior to the implementation of the PEP Project (May 1992), but three and one-half years went by before it was determined with some appropriate adjustment that conditions had been met releasing the second tranche. It appears that MOE has now substantially met requirements for release of the third tranche. USAID's Technical Officer and the PEP Coordination Office have prepared the submission to the Regional USAID Office in Botswana recommending successful completion of the CPs required for the release of the third tranche (\$3.4 million). USAID's regional legal officers must now review the documentation prior to releasing the third tranche. It is anticipated that the release of the third tranche will occur prior to the middle of September 1996.

Suggestions for using CPs as a part of USAID and other donor projects include:

- a. Collaboration with appropriate government officials in selecting and writing the Conditions Precedent. Whenever possible, all affected departments should be represented in this process.
- b. Again through collaborative effort, clearly defined statements of required verification for satisfying each CP must be written. Both parties should have a clear understanding at the very beginning what is to be required even prior to the final agreement on which CPs are to be included as requirements.
- c. Interpretations of the CPs should be flexible, taking into account changing needs in the schools, changing political structures, and other unforeseen circumstances that may indicate the original wording of the CP should be modified. This does not mean that CPs should be too easily modified, but it does mean that circumstances do alter the direction a policy or program should take causing some modification of selected CPs.
- d. Consideration should be given whether or not it is appropriate to apportion amounts of tranches; that is, can 75 percent of the tranche be awarded at a point in which a certain number of conditionalities have been met? This approach may deserve consideration, but again, the conditions must be clearly identified for proportional release of funding.
- e. The role of USAID personnel in the process of approving satisfactory performance of CPs should be viewed as a facilitating role. As facilitator, decisions should incorporate an analysis based on how best the CPs can be interpreted as a means of achieving the overall goal, in this

case, the movement toward a quality primary education program in the country of Lesotho. The host government often considers its relationship with USAID as that of a mutual partnership, and facilitation can assist the government to bring about needed changes in policy and institutional reform. As a means of fostering this mutual partnership, USAID personnel (especially the coordinator in the case of Lesotho) should continuously communicate with and assist the MOE in the verification process.

f. The role of the national government with which the contract is signed should include provision of sufficient staffing in the MOE (in Lesotho's case, the Planning Unit) to provide adequate documentation-collection procedures and monitoring of progress toward satisfying CP requirements. An already understaffed unit or division can hardly be expected to provide required documentation without negatively impacting on the quality of performance of regular duties. By providing sufficient staffing for this purpose, verification can be provided to the donor, USAID or other donor(s), in a timely manner.

g. The monitoring/facilitating process should be one of continuous assistance on the part of the donor agency as a means of helping in the identification, organization, and collection of appropriate documentation as actions take place, minimizing the "last minute rush" of activity that consumes so much time and energy and pulls officials away from the ongoing tasks of improving the overall quality of primary education.

h. Documentation of meanings and validation of requirements of CPs developed in joint meetings of USAID and MOE representatives should be provided through minutes of those meetings, workshops, etc. The minutes provide necessary archives to be referred to in succeeding years to refresh memories and to inform both new USAID and MOE staff regarding original decisions and any modifications made in the process.

TECHNICAL ASSISTANCE

The OU Contract with USAID was signed on September 21, 1992, a full year after signing of the USAID/Government of Lesotho Project Agreement. The lapse occurred on the USAID side rather than on the Lesotho side due to the bid and negotiation process. A technical assistance contract for \$4,444,134 was awarded to OU as Contractor, with subcontracts to the State University of New York at Albany for \$1,289,880 and to Creative Associates for \$476,810. Four major long-term technical assistants were specified in the contract. The Chief of Party was to have EMIS expertise and was anticipated to be on post for a period of 60 months. Two individuals served in that capacity, the first for 12.5 months, and the second for 25.5 months for a total of 38 months. Of the original contract target of 60 months long-term assistance for this position, eight months were lost due to the interim in hiring the replacement and an additional 14

months were lost due to early closure of the Project. This shortfall has clearly hindered efforts to improve EMIS because the additional time would have permitted the MOE to establish closer relationships of EMIS data to policy considerations.

The Financial Management Advisor position, assisting the Planning Unit, was also divided between two different individuals, the first serving 36 months and the second serving 10 months for a total of 46 months, two months less than the 48 months allotted in the Contract for that position. The two month shortfall was due to the early closure of the Project. The Testing and Evaluation Advisor served the full allotted time of 24 months in the National Curriculum Development Centre and the Teachers College Management Advisor completed the full 24-month assignment in October 1994.

Final reports and other reports submitted by the six long-term advisors were examined. Activities were carefully reviewed and follow-up in interviews with counterparts and departments were held as a means of determining the extent to which each advisor had provided the assistance needed, both in terms of training personnel and in providing materials and systems that could ensure sustaining of activities once the advisor departed post. Long-term advisors in three of the four areas were able to make real impact on the capacity of the MOE to continue implementation once advisors were gone. The three areas are EMIS including statistics, NTTC management, and testing and evaluation. In each case, advisors provided appropriate support in assisting the MOE implement policy and institutional reforms associated with the NPA approach. In the area of Financial Management, the second advisor was successful in supporting the NPA approach satisfactorily in the limited time he served as Financial Management Advisor.

At the time of writing this report, the extent of impact made in the area of Financial Management is difficult to determine. One of the main problems facing both Financial Management Advisors during the course of the three years was the turnover of their counterparts (Financial Controllers). The first advisor had four different counterparts during his three-year assignment (October 26, 1992 to August 31, 1995). The second advisor had only one counterpart for the major portion of his ten-month stay as Advisor. This means that during the 46 months a Financial Management Advisor was available in the Primary Education Project, five counterparts were involved. The position of Financial Controller changed on average about every nine months. Some of that time often involved training on the accounting package (ACCPAC Plus) in South Africa, a factor that reduced the amount of time Advisors had to carry on their own portion of the training, therefore, individuals who were assigned the responsibility of "financial controller" were available for a period of time too short to acquire the competency required and to use the training in their role as Financial Controller. It is estimated that it would take from six to nine months to build competencies required in this position. As a consequence, the MOE still has no one who is adequately trained to fill this critical position.

Another major problem faced by the Project, and one that may continue to be a problem for the Ministry of Education, is the software package developed to implement computerized accounting specifically designed for the Ministry of Education. The software was developed under the first Financial Management Advisor's tenure. One company was given a work order, not a written contract, for the development of the software package that was to be used with ACCPAC, a commercial software package generally available on the market. The first Financial Management Advisor reported that the software package was developed prior to his departure. Following his departure, it was discovered that the output design software was incomplete. Operationalization of the software package was left to take place during tenure of the second Financial Management Advisor. Implementation was then contracted with a local firm. After several attempts, that firm was unable to implement the software. At the time of the writing of this final evaluation, a third firm has been contracted to deliver the desired implementation. The first company claims that it provided written documentation and manuals to the first Financial Management Advisor, but neither the company nor the MOE has copies on file. As noted, no written contract was made with the first company since compensation was based upon work orders rather than a formal written contract. The second company charged with the responsibility of implementation was given a contract which clearly spelled out conditions to be met. There appears to be considerable confusion surrounding the placement of responsibility, whether or not the first company properly designed software that can be used by the MOE, and whether or not the second firm had the capability of implementing the use of the software. During the closing weeks of the project, the COP has attempted to pursue answers to such questions. In the meantime, about 45 accountants continue to manually input financial data in ledgers in lieu of computerizing the entire process.

It is important to note that the second Financial Management Advisor and the Chief of Party kept appropriate MOE personnel informed of these problems and worked collaboratively with MOE to find appropriate solutions to those problems. During the final week of this evaluation and final week of the Project, a new firm was able to get the software up and running. The MOE has contracted with the firm for implementation of the software and training of personnel to use the new financial management system. The MOE may still need to pursue the possibility of obtaining the services of a qualified person for six months to a year who can work alongside the Financial Controller and other accountants as a means of providing day-by-day assistance and training.

The second Financial Management Advisor was able to make some impact in the financial management area during his short tenure as advisor. He contributed much in bringing about closer collaboration among the three parties involved (the Deputy Principal Secretary, the Financial Controller, and the Director of Planning). This group now meets on a regular basis, facilitating the decision-making process in this important area. Recent decisions have been instrumental in moving forward in salvaging the implementation of ACCPAC and the design software through help from a firm in Bloemfontein, South Africa.

Except in the case of the first Financial Management Advisor, evidence indicates that the long-term advisors were competent and knowledgeable in their fields. During interviews, much evidence was given in regard to the professional manner in which the advisors worked, appreciation for the skills and knowledge developed by MOE staff as they worked with advisors, and a sense of loss when advisors left post. The "sense of loss" was more due to advisors becoming an accepted, contributing part of the unit or agency to which he/she was assigned rather than one of void due to loss of an individual filling a post. The role of an advisor should be one of "working himself or herself out of a job" so the work can be carried on by staff once departure has occurred. Counterparts and other officers trained by long-term advisors expressed their appreciation for the professionalism of advisors and the sincere concern each advisor had for imparting practical knowledge and skills to them.

It was noted that the quality of the short-term consultant reports, most of which were submitted following the interim evaluation, improved considerably during the final two years of the Project. Short-term consultants brought in by the contractor and subcontractors during the last 19 months are often mentioned by MOE personnel as having provided the quality of practical assistance needed. Eight documents were prepared by long-term technical advisors. Short-term advisors prepared 25 of the documents reviewed, of which four were completed during 1993/94 and 21 were done in 95/96 during a 19-month period. A total of 29 reports/documents reviewed were prepared by long- and short-term advisors brought in by OU and the subcontractors. All documents reviewed are listed in Appendix C.

The number of reports prepared by both long and short-term advisors in the past 19 months is an indication of the amount of activity that took place in the area of improvement of the primary education program in the final two years of the project. Although extensive technical assistance was provided in the final two years, greater progress could have been expected to have been made if the Primary Education Project had been allowed to continue to the end of the PACD in 1997. The additional year would have provided time for greater implementation due to continued advisor and consultant support, as well as the release of the fourth tranche. The additional year would have reduced the amount of short-term assistance, however, since only 42 person months of short-term assistance was projected. When the decision was made to close the project a year early, an additional 13 months of short-term assistance was provided. It is apparent that there is commitment on the part of officials within MOE to proceed in the implementation of recommendations made and to make every effort to attempt to sustain gains already implemented without the continued donor assistance provided through USAID. The MOE was reported to have already been successful in obtaining EU funding to assist in completing the furnishing of new and refurbished primary school classrooms. Other proposals for funding have been sent to UNICEF.

Special Studies

Special studies conducted as a part of the Primary Education Project have provided a significant base and guidance to the further improvement of primary education in Lesotho. Several units/agencies within MOE and GOL will find the information, findings, and recommendations made in these studies to be valuable in further strengthening policy and bringing about needed institutional change. The contractor and subcontractors are commended for identifying and recruiting both long-term and short-term assistance that made these studies valuable resources for further improvement of primary education in Lesotho.

Eleven special studies were conducted through Project assistance. Areas of study included out-of-school youth; school mapping data for allocating furniture and equipment; overcrowding in the classroom; a parent knowledge survey; cost analysis indicators; data accuracy and flow; impact of policy reform; assessment of inservice; underage pupils; repetitions in primary school; and impact of PEP Policy initiatives. Each has a valuable contribution to make, but analysis of the data as a whole can have tremendous impact in shaping policy and institutional reform in Lesotho.

With the EMIS approach already implemented in the MOE, primarily in the Planning Unit, additional studies in other areas and follow-up studies of these special studies should be conducted to expand the knowledge now available about primary education in Lesotho. As mentioned, the problems of retention and overage should be an aspect of further studies.

Training

Three types of training were included in the Primary Education Program: long-term training provided through OU and State University of New York at Albany; short-term training organized in Cape Town, South Africa, or in the United States; and on-site training. Long-term training resulted in seven MOE staff members participating in masters' degrees programs with six receiving their degrees. Short-term training of MOE staff included: 38.2 person months for officers in the National Curriculum Development Centre; 17.75 person months for National Teacher Training College Staff; 39.05 person months for DRTs/PRTs/Teachers, and 46.0 person months in the Financial/Management/Planning area. Of the short-term training, 102.7 months occurred in Lesotho; 6.7 months were provided in the United States, 2.75 person months were provided in Namibia and Swaziland; and 28.85 person months were arranged in South Africa.

Long-term training was given high praise by the individuals who were interviewed. Six of the candidates earned master's degrees at OU. One candidate has one semester yet to complete his master's degree at SUNY at Albany because he was in a program designed for 20 months with four months added by SUNY to complete the degree. Funding for the completion of the

candidate's final semester has now been secured through UNDP since USAID funding has been discontinued with closure of the Project. All candidates indicated they were enrolled in appropriate programs, gained skills and knowledge they could employ in their MOE roles, and were given excellent guidance in completing their graduate work. The six individuals who have completed degrees have returned to their posts and are contributing effectively in improving the quality of education through the units in which they serve.

Three individuals who participated in short-term training in the United States stated that they valued the experience. They participated in "study tours" arranged by former long-term Primary Education Project advisors and the Project Investigator at OU. The training included observing teaching practices in outstanding primary schools, attending conferences including the annual conference of the Association for Supervision and Curriculum Development, and individual one-on-one discussions of teacher education, curriculum development, and testing. These three individuals rated their short-term training experience as outstanding.

The regional short-term training was given somewhat mixed reviews. Much of this training was one of exploration rather than an in-depth experience. One individual who went to the University of Western Cape for six months was given an opportunity to complete her degree with an additional six months supported by GOL funding. Participants with the shorter field experiences believed they gained important insights into quality teaching and instructional materials by visiting teacher centers, media centers, and "model" school programs. Limited opportunities in the Southern African Region exist in the area of curriculum development processes and curriculum evaluation. Further searching is needed to identify colleges and universities in Southern Africa that may have programs of study in developing curriculum. Both the Department of Curriculum Development and Evaluation in the Ministry of Education in Botswana and the Ministry of Education in Namibia offer good field experiences in curriculum development. Most of the complaints seemed to be centered around the two-week experiences rather than the longer experiences. In reviewing complaints of these individuals, it was determined that they were dissatisfied with the amount of per diem given for their out-of-country training. Even though the Project COP provided a full explanation of the per diem rate, these individuals still insisted they should have qualified for a higher rate. To provide quality short-term training for MOE personnel, opportunities should be explored for long- and short-term training in the region. Cost of training in the region will be considerably less than equivalent training in the United States or in Europe.

In-country training totaled 102.7 person months, of which 21.9 person months involved NCDC staff, 4.85 person months involved NTTC staff, 36.9 person months involved Finance, Management and Planning staff, and 39.05 person months involved District Resource Teachers, Primary Resource Teachers, and Teachers. During the final two years of the Project, 84.6 person months were delivered for in-country, short-term training. Topics in the in-country training

sessions were quite varied as they were identified as needs by the MOE units. A sample of topics included: curriculum evaluation; testing; classroom assessment; school study data collection; accounting (ACCPAC); curriculum data base; computer awareness; lower primary programs; and policy analysis and planning. The training was provided by long- and short-term advisors and consultants and was given high marks by those individuals interviewed. One person stated, "The in-country short-term training was outstanding."

LOCAL CURRENCY EXPENDITURES

To qualify for the release of each USAID NPA tranche of funds, the GOL/MOE was required to satisfy 20 CPs. One of those CPs was "evidence that GOL will properly handle the tranche release—converting to maloti, depositing to the special Central Bank account in Maseru." The special account was to be used specifically by the MOE in achieving ESDP goals. These deposits were mixed with other donor funding including EU and the World Bank loan. No special conditions were attached to these funds once the CPs for the tranche had been satisfied and once the conversion to maloti had taken place.

Review of available reports and interviews with appropriate individuals, including the Principal Secretary of the Ministry of Finance, indicated that the procedures implemented for release of USAID NPA funding were satisfactorily handled. Audits, using internationally recognized firms, were conducted in July 1993 and November 1995. The final report of another audit started in October 1995 had not been submitted by August 1996. No evidence of irregularities were noted in audit reports. GOL promptly made the required deposits following release of Tranche I and Tranche II. As noted earlier in this report, Tranche III was not released as of August 29, 1996, but release was anticipated within the next few weeks.

The long delay in the release of Tranche II caused delays on the part of MOE in moving forward in meeting some CPs, primarily those involving procurement, since Tranche I proceeds had been exhausted many months earlier. The lack of one or two unmet CPs can severely limit the capability of the MOE in meeting CPs specified for release of the next Tranche. A number of MOE officers perceived that the long delay in the release of Tranche II impacted heavily on the late release of Tranche III and cancellation of the release of Tranche IV. Regardless of the late release of Tranche II, evidence gathered indicated that GOL/MOE would have satisfactorily met conditions for the release of Tranche IV if PEP had not been closed one year early and if technical assistance had been continued for one more year through the Primary Education Project.

The arrangements made for handling of tranche releases appeared to work well in the case of Lesotho. In the case of the two tranches received, GOL promptly converted to maloti and made the appropriate deposits to the special Central Bank account in Maseru.

SECTION VI. MAJOR ACHIEVEMENTS OF THE PRIMARY EDUCATION PROGRAM

The Ministry of Education, and the Government of Lesotho, is applauded for many positive outcomes as a consequence of their partnership with USAID. Interviews with various officers identified steps taken as a result of PEP that benefit primary school children and the country. Once these children complete Standard 7, they must have acquired the skills and knowledge essential to success in further education and training if they are to contribute to building a nation able to compete in this modern, technological, interdependent world. The following are identified as major outcomes of the Primary Education Program:

1. Passage of the Education Act 1995 brings about monumental change in education policy and structure of education in Lesotho. The Act provides increased democratic participation in the operation of schools through the school committees and other actions necessary for improving the quality of education in local communities.
2. The Five Year Educational Sector Development Plan developed by the Government of Lesotho with the assistance of multiple donors, primarily USAID and the World Bank, has provided direction for the improvement of resources and implementation of appropriate policy and institutional change in Lesotho. The ESDP has made impact through Annual Implementation Plans that provide for appropriate monitoring and modifications required for actions year-by-year.
3. The Education Management Information System has been designed to collect data on a regular basis that assists in monitoring "indicators of quality" throughout Lesotho. This system has already made an impact in identifying accomplishments and needs for further improvement of the quality of education in Lesotho. An important use of EMIS data is justification for requests for funding of the educational system. The system has been strengthened by long-term training of one individual culminating in the masters' degree and in providing in-country training in SPSS/data analysis, computer literacy, and systems analysis/programming. Assistance included developing a data management training manual, merging 1994 PSLE scores, Standard 3 Attainment Test data for 1993 and 1994, and school mapping data to provide output data on schools, and other important areas.
4. An EMIS regional linkage for training and support was assisted by advisors in the Primary Education Project. Once fully established, this linkage should help achieve sustainability.
5. The National Teacher Training College has been strengthened with the recruitment of a Director, Registrar, Acting Bursar, and Warden. Restructuring of the college has occurred to include three program areas: primary education, junior secondary education, and inservice education. Each program area has been staffed with a coordinator and deputy coordinator, an action that provides more adequate focus on the development of quality teacher-training programs. Prior to this, there was no focus on primary education in the college. The planning and adoption of a Staff Performance Program will be implemented next year, an important step in monitoring and

strengthening the quality of individual staff performance.

6. The inservice program developed at NTTC for practicing unqualified teachers has produced 450 newly qualified teachers for the primary schools. A second inservice program has produced 105 newly qualified head teachers. These programs are valuable in supplying *qualified* teachers for primary schools. The newly qualified head teachers are now more able in managing the schools.
7. More than 1,500 new teacher positions have been created and persons recruited to fill those positions at the primary level during the life of the Primary Education Program. The education budget has been increased to accommodate these new teaching positions. This has brought about some reduction, though not a significant reduction, in pupil/ teacher ratio in primary schools.
8. The curriculum in Standards 1-7 has been revised and strengthened. A curriculum database is being developed to monitor and improve curriculum across the various subjects and from grade to grade. Data gathered through the use of the Standard 3 Attainment Test and Checklists for each grade level Standards 1-3 is being used to identify areas in the curriculum that needs further strengthening.
9. The Government of Lesotho has increased funding from 17 percent of the total budget in 1990/91 to 24 percent in 1995/96. The total recurrent expenditures for primary education have increased from 47 percent in 1990/91 to 51 percent in 1994/95. Per pupil cost (recurrent expenditures) has progressively increased from R86.15 in 1990/91 to R242 in 1994/95. These gains have provided resources required to achieve a substantial number of the goals of the ESDP.
10. The District Resource Teacher Program has been strengthened through an increase to 70 positions and through workshops offered by short-term consultants brought in by PEP and through the NCDC. The salary for DRTs has been regularized as a part of the MOE budget.
11. Five District Resource Centres have been constructed and five more are planned as a means of decentralizing educational services to provide increased assistance to schools in the districts. DRTs and other education officers will be housed in the new Centres.
12. The Inspectorate, both in terms of allotted positions and successful recruitment, has been increased from 10 positions to 53 positions during the life of the Primary Education Program. This action is especially significant in providing support to the newly qualified teachers and head teachers. The officers of the Inspectorate are commended for their important contributions in collecting data requested by USAID for verification of meeting requirements of the CPs. School visitation loads are heavy even with the increase in number of staff, so the additional load of assisting in verification of CP data was placed on an already overburdened unit.

SECTION VII. MAJOR RECOMMENDATIONS

The following fourteen major recommendations are based on more specific recommendations made in the body of the report or are recommended as logical courses of action to be considered to bring about improvement in process, in organizational structure, and in fostering appropriate stakeholder involvement as a means of bringing about policy and institutional change needed to further improve the quality of primary education.

1. It is essential that appropriate officials, in MOE as well as across GOL, review the Education Act 1995, consider implications for implementation of Sections and Sub-Sections of the Act and develop explicit plans and time lines for implementation of the Act. Some work may have already begun to accomplish this. Problems in implementing and enforcing the Act can be avoided by early attention to this process. Particular attention should be given to more rapid expansion of the school-level committees as a part of implementation of the Act.
2. Much progress has been made toward funding primary education from GOL resources during the Primary Education Program. With the closure of the Program and USAID's Non-Project Assistance funding tied to the CPs, the GOL must make an extended effort to continue funding education at an increasing level to accommodate expanding school enrollments (additional teachers, classrooms, furniture, textbooks and instructional materials required for effective learning). Even with greater efforts by GOL to fund primary education, ever increasing efforts are going to be required in the future. The GOL must continue to further increase its commitment to improving the quality of primary (basic) education for its children if it desires to improve the economy and quality of life for Basotho.
3. Autonomy for the National Teacher Training College is a matter of great urgency. It is important that the Law Office participate in expediting the process. The long delays in granting autonomy places constraints on recruiting needed staff, delaying important structural changes, and participating more effectively in improving the quality of education in Lesotho. As recommended in the *Interim Evaluation*, a functioning Board of Governors should be incorporated into the move to autonomy.
4. To provide greater appreciation for quality primary education in Lesotho, it is recommended that one or more "model" schools be developed and staffed by a head teacher and classroom teachers who model the most effective instructional practices based on international research. One model school should be associated with NTTC so new teachers entering the field and practicing teachers in the inservice program will be able to observe effective practices in primary level classrooms. Such a school or schools could be effective in disseminating effective practices and raising the level of teachers' concepts of quality education.
5. The Planning Unit is severely understaffed to continue the various roles assigned to it. Essential documents, among many produced by the Unit, include the Annual Plan, Annual Plan Implementation

Report, and the recent report *Impact Assessment, January 1996*, which examines progress and impact of the *Education Sector Development Plan 1991/92 - 1995/96*. The Ministry of Education should continue reporting on "impact assessment" for each of the coming three years since the Development Plan is to be "rolled over" for that period of time. Regular assessment contributes to keeping "on track" in implementing the plan. This approach begins to formalize monitoring and evaluation of the Development Plan, a process that is needed for the continued improvement of the quality of primary education in Lesotho. Proper support for this over-worked understaffed Unit requires urgent attention.

6. To further facilitate the improvement of the quality of the primary education curriculum, the National Curriculum Development Centre should push forward in: building the curriculum data base developed through a short-term consultancy; building the item bank for both the Standard 3 Attainment Test and for the PSLE (if NCDC is to continue writing items for the PSLE); development of a curriculum-based continuous assessment as a means of continually assessing each child's progress and providing needed remediation; completion of teachers' guides for all subjects and distribution of them to all schools, preferably with workshops held at the District level.

7. Inservice workshops should be organized for the Inspectorate to enable officers to take a greater part in facilitating the improvement of instruction in the primary education program. The Inspectorate is the key to improving the quality of primary education at the classroom level as well as decentralizing education in Lesotho. Workshops might be patterned after those offered the DRTs, and could be joint workshops with the DRTs.

8. Action should be taken as soon as possible to move the PSLE to the Examinations Council of Lesotho. ECOL has both expertise and experience in administering school examinations and maintaining security throughout the examination process. Its primary role is administration of examinations. Equipment, including the necessary computers, has been purchased and is waiting for the employment of qualified staff in ECOL. It is important that written agreements be prepared that specify the role ECOL is to play and the supporting roles to be played by the National Curriculum Development Centre, the Planning Unit, and other MOE units. Finalizing this action may require firm direction at the Principal Secretary or Minister levels. It is recommended that meetings held with affected parties should be chaired by either the Principal Secretary or by the Minister.

9. Dormitory space at NTTC must be increased as a means of increasing the capacity of the college to train and certify an increased number of qualified primary school teachers. In addition, it is important that NTTC continue the inservice programs for unqualified practicing teachers. Unless increased numbers of primary teachers are produced, Lesotho will never reach its goal of 100 percent qualified teachers in the primary school, nor will Lesotho be able to provide quality education for all children in the country.

10. In addition to a "five year plan" approach, the GOL and MOE should utilize EMIS data and results of other studies developed through PEP for the purpose of projecting goals to be achieved beyond the

next five years. It is important to look ahead to the next decade in organizing the people and institutional and financial resources required to bring about the appropriate changes in an ever increasing world of technology. The EMIS data is also a valuable source of information for curriculum development, in proper implementation of the curriculum in the classroom, and in strengthening the teacher training curriculum. It is important that NCDC, the Inspectorate and NTTC staff make use of this information as each improves its role in primary education.

11. Public Service is slow to fill staff positions, both in the MOE and at NTTC. This contributes to severe understaffing, especially in the Planning Unit and NTTC. It is crucial that vacant positions be filled in a timely matter so that the capacity and quality of educational services and training of teachers is brought to the level required to provide quality primary education to the children of Lesotho. The NTTC Director has requested qualified staff to fill 11 positions required to meet immediate needs in the teacher training program but those positions remain unfilled.

12. By design, the Primary Education Program focused on Policy and Institutional Reforms with little direct focus on improving instruction at the classroom level. The Ministry of Education is urged to use its gains in policy and institutional reform to advantage by providing increasing support to heads of schools and classroom teachers in full implementation of the revised primary curriculum. Implementers of the curriculum are classroom teachers. Those teachers can effectively implement the curriculum when they have competence in diagnosing learning needs of children and know effective ways of enhancing learning in the primary school subjects. The Inspectorate, when well trained in these aspects and assuming the role of facilitators, can be the catalysts for the improvement of primary education through their visits to schools. The first step in developing this focus is to provide members of the Inspectorate with effective skills and knowledge through appropriate inservice activities.

13. Financial management should be fully computerized if accounts are to be kept current and expenditures are to properly monitored throughout the fiscal year. Efforts should be continued to make the new hardware and accounting software functional through training of officers in the use of the software package and computerizing the entire system. To accomplish this important task, it will be necessary to contract further training and assistance through a qualified firm or employ a qualified resident consultant for a period of time to assist in bringing about full implementation.

14. The Ministry of Education is urged to share this report of the *External Final Evaluation of the Lesotho Primary Education Program* with other agencies, both in the Government of Lesotho and with various donors, as a means of securing additional financial support and resources required to further strengthen policy and institutional reform.

SECTION VIII. LESSONS LEARNED

The lessons learned in this project include:

- There are pluses and minuses in the use of CPs. The greater the collaboration is at the outset and the greater the amount of documentation regarding agreements reached on the part of the MOE and the donor, the greater the chance exists for a feeling of facilitation and partnership on the part of the MOE, GOL and the donor (USAID in this case). To accomplish this, the donor representative should take on the role of providing technical assistance to the recipient throughout the project rather than functioning solely in the role of “inspector.”
- USAID or other donor project officers/coordinators are significant factors in determining whether or not developing country governments and agencies are judged as having met CPs. Literal, inflexible interpretation of individual CPs may place constraints on the host government preventing it from reaching the very goals the funding is intended to achieve. The donor representatives should be encouraged to review CPs in light of changing conditions in the country and surrounding region and to collaboratively reach modification of agreements when conditions change. In Lesotho’s case, the change of government from military to a democratic government more than a year into the Primary Education Program appeared to penalize GOL and MOE. The practice of democracy requires more extensive consultation among stakeholders to pass new legislation than is the case of non-democratic governments.
- Early closure of projects leaves everyone, not just the donor (USAID in this case), in a no-win situation. When developing countries are asked to implement policy and institutional reforms requiring incremental changes and then the donor pulls out prior to the end of the promised length of time, countries are left with unfinished agendas without financial and technical support to complete the task.
- Stability in the USAID/donor project officer position is just as important, if not more so, as is stability within the MOE in providing effective facilitation of achieving program goals. USAID rotated six project officers during the five years of PEP. This confused the MOE as those six officers had varying views of how strictly to judge compliance with CPs. In the case of rotation of officers, both on the part of the donor and the MOE, comprehensive documentation in the form of minutes of meetings held between donor(s) and GOL/MOE is essential in reducing the amount of confusion likely to exist on the part of both parties.
- In multi-donor projects, it is important that collaboration and consultation occur on a regular, face-to-face basis between donors, and between donor(s) and recipient throughout the life of the project to develop and sustain the spirit of partnership and facilitation. USAID/World Bank collaboration during the last four implementation years was not as close as during the preparatory years.

APPENDIX A
SCOPE OF WORK

4/1

STATEMENT OF WORK

External Final Evaluation of the Lesotho Primary Education Program

BACKGROUND

The five-year \$20 million Primary Education Program (PEP), begun in September 1991 with a Program Assistance Completion Date of August 1997, subsequently cut back to September, 1996, is an educational *sector reform* program with two components:

1. A non-project assistance (NPA) element (the "Program" as distinct from the "Project") which involves three (originally four) releases of dollars to the Government of Lesotho (GOL) upon satisfaction of agreed-to reforms and GOL deposit of an equivalent amount of maloti in a Special Local Currency account at the Central Bank, which is available only for implementation of the Education Sector Development Plan (ESDP, sometimes Sector Plan) by the Ministry of Education & Manpower Development (MOE). Funding for the ESDP also involves substantial IDA credits as well as some school construction funds from the EU. The ESDP has an annual budget jointly agreed with the Mission, covering *all* expenditures by the three mentioned funders. However, part of the IDA credits are designated for secondary, tertiary and technical-vocational educational purposes.

This NPA component's first tranche of \$6.082M was released in May 1992, with the maloti proceeds (less 10% for a USAID-administered Trust Fund for Mission expenses) available to the MOE in June 1992. The second release of \$5.5M to the MOE occurred November 3, 1995 (no 10% deduction). A third release of \$3.4 million is scheduled for July-August 1996. Each tranche release requires the GOL to satisfy approximately 20 conditions precedent (CPs) or "benchmarks," which cover a wide range of MOE actions, including some other GOL offices, the Parliament and even private school proprietors (virtually all primary education is conducted in schools owned by churches, the staff hired by the churches but most teachers paid by the MOE). The three tranches, if all released, will provide a total of \$15.0 million to the MOE.

In September 1993 AID/W decided to close the Lesotho Mission as of September 30, 1995 but with the PEP to continue for one more year, through September '96, via establishment within the MOE of a USAID Coordination Office. The latter began functioning September '95, staffed by a Coordinator (U.S. PSC) and two Basotho assistants--a Program Assistant (Deputy Coordinator) and an Administrative Assistant. That Office's vehicle and furniture/equipment was borrowed from another closing project. Supervision is by the Swaziland Mission, their HRDO.

Since the original Program Agreement had foreseen continuation of the PEP through September '97, the Washington action meant one year less for the MOE to seek completion of the benchmarks to qualify for the final, fourth release of Program funds (\$3.618 million). By winter of 1995 it was apparent to all concerned that time would not be sufficient for the

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MOE to meet the requirements of the fourth tranche, due to the year less, and by Program Amendment No. 6 of September 20, 1995 this fourth release was cancelled. At that time, 9/95, the MOE had not yet received the second tranche, about two years more time being needed to complete those second-tranche requirements than was foreseen when the first tranche was released 5/92.

2. Project elements include resident long-term advisors (LTAs) of whom only two remain after 6/95, a number of short-term consultants, applicable commodities for the operation of the in-country team, regional study-tours and short-term trainings plus seven two-year master's degree programs for MOE staff at U.S. institutions. The competed contract for this component, executed September 21, 1992, is held by Ohio University (OU) of Athens, Ohio with two subcontractors: State University of New York at Albany (SUNY/Albany) and Creative Associates, Inc. (CAI). The contract expires August 1996 (originally August 1997). Three of the four LTAs arrived in November/December 1992, the fourth in June 1993. Many short-term consultants have come/gone. The OU Athens Project Manager has also been to Maseru. The first OU Chief-of-Party (COP), after serving one year, departed early December 1993. Her replacement began July 1994, one of the resident advisors having served as Acting COP 12/93- 7/94.

Other Project funds support a USAID Program Coordinator, a U.S. PSC who began March 1993, and evaluation and audit activities.

AID's regional auditors in Nairobi (RIG/A) performed an audit on the NPA local currency during February - May, 1993, which resulted in a report of July 31, 1993.

The MOE contracts a local but internationally recognized auditing firm to perform annual audits of the Education Sector Development Plan expenditures for the USAID Program funds, World Bank credits and European Union grants.

ARTICLE I - TITLE

Project: Primary Education Program (PEP)
Number: 632-0225/0230

ARTICLE II - OBJECTIVE

To provide a team under a delivery order for a full month to conduct a final evaluation of PEP on progress and constraints and make recommendations to USAID/Lesotho and to the USAID/Mbabane Supervision Office, and to the MOE and other involved GOL units on general and specific aspects detailed in Article III below

Team composition and qualifications: Two persons with previous professional experience in sub-Saharan Africa, preferably in Southern Africa, and with

demonstrated experience on education sector reform programs and who offer good writing skills. Experience in a developing-country government ministry/department as a consultant/advisor/functionary for an appreciable period (not less than one year cumulatively), by one or both team members, is also desirable. Both to be computer literate. Special requirements:

- A. **For Team Leader:** holds a graduate degree; has specific experience in evaluation of an AID sector reform program preferably in primary education; has previously organized, compiled, written parts of and edited small-group reports.
- B. One member to have had not less than five years professional experience in education projects in developing countries (including some or all in sub-Saharan Africa), holding a degree in education with teaching or administration experience in primary education.

None of the team members are to have any current connection with any of the three institutions/firms presently contracted by AID for the Lesotho Primary Education Program: Ohio University, State University of New York/Albany or Creative Associates International, Inc.

ARTICLE III - STATEMENT OF WORK

A. **GENERAL:** The contractor shall conduct an evaluation of the following topics:

1. **Policy and institutional reforms:** Assess progress especially since April 1994 on achievement of Program's goals to improve the quality and efficiency of primary education in Lesotho via particular policy/institutional reforms and in other ways.

2. **Technical assistance:** Assess effectiveness of this entire set of assistance components, mainly since April 1994: long-term resident advisers, short-term consultants, long- and short-term regional and U.S. trainings, and the contractor's management.

3. **Local currency expenditures:** Review the status of local currency disbursements of Program funds, and how satisfactory from MOE and USAID points of view was the monitoring thereof via the several agreed devices.

B. **SPECIFIC AREAS :** The contractor shall address these specifics:

1. **Policy and institutional reforms:**

a) Assess the effectiveness, timeliness and appropriateness of reform implementation to date, concentrating on the period following the April '94 interim evaluation. What factors (structural/organizational, capacity, etc.) have been important to facilitate progress? What aspects have impeded progress? What reform and other objectives, if any, are judged only partially met or wholly unmet (identify)? What are the evaluation team's findings on reasons for any shortfalls?

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-- For the reforms and other objectives found substantially attained, what are the prospects of their being sustained? Are the various types of resources in place to permit continuation of these new policies and other accomplishments? Might the MOE/GOL require, in the evaluators' judgment, appreciable foreign assistance--of what types and approximate magnitude?--to sustain these reforms?

-- Describe lessons that may have been learned by the various stakeholders (MOE, other GOL units, other donors/lenders and USAID).

For any goals/objectives judged partially or wholly unmet, the evaluators shall as time and their information allow go on to recommend actions which the GOL should consider, perhaps with other international assistance, as would permit later achievement of these unmet objectives. However, if some of these unattained primary education developmental objectives are now thought to need significant changes, or even omission, each such modification is to be described and the reasons stated.

b) Assess to what extent the non-project assistance (NPA) approach utilizing many conditions precedent (CPs), now preferably termed benchmarks or performance criteria, was found an appropriate method to promote achievement of program objectives e.g., in terms of type, number, magnitude and challenge. Have there been unanticipated effects that may call for USAID to consider modifications of the approach for use in other similar countries?

c) Review and assess the management and monitoring of PEP conditionality, including the roles of the Ministry of Education and USAID. Was sufficient, capable staff available to oversee and implement the program? Are an effective system and set of procedures now in place to continue carrying out the new policies effectively? What specific actions or steps are suggested as important to improve management by the MOE and affected other GOL units?

d) Assess effectiveness of donor coordination on Education Sector Development Plan activities and, where appropriate, identify actions that should be considered by donors/lenders remaining active in this sector in Lesotho.

e) Review Assessment of Program Indicators for PEP and assess the extent to which these have remained appropriate, up to PACD.

f) Suggest what more the Program could have accomplished had it been possible to continue for the additional year per original Agreement.

2. Technical assistance team:

a) The PAAD called for a four-member technical adviser team to work as counterparts, respectively, in three offices at the Ministry of Education and at the National

Teacher Training College. Review scopes of work, accomplishments and role of each long-term adviser to date, concentrating on the period since the April '94 interim evaluation. Have their roles remained appropriate? Have any lessons been learned about this component of the technical assistance package? (One specific: has this TA been judged sufficiently tied in to the Program assistance, the use of the NPA approach?)

b) Review accomplishments of short-term advisers since April '94 and identify, where appropriate, any lessons learned that might improve the Agency's future use of this mode of assistance.

c) Training both short- and long-term: Assess this component as to achievement of intended benefits for MOE staff, and what may be the prospects of the newly arranged regional training venues continuing? Were appropriate staff sent to the venues, regional and U.S.? What do returned long-term participants (as many of the seven as available) report as to satisfaction/dissatisfaction with their programs (content, advisers, duration, living circumstances)? Do they have recommendations for improvements? Then the same pair of questions for as many as are available of those who have complete regional short-term trainings.

d) Management of the Project: Did the contractor and its sub-contractors field appropriate persons for the long- and short-term adviser positions? Were those advisers given sufficient support by the MOE and the contractor's field office for efficient performances? Were the short- and long-term trainings well supported?

e) USAID support: Does the contractor feel that he received both at headquarters and in the field sufficient amounts of competent Agency attention, timely approvals of requests, expected collaboration.

3. Local Currency Expenditures:

a) Review progress and effectiveness to date of GOI. annual budgeting, disbursement and reporting actions for the mainly capital Sector Development Plan. Has the rate of disbursement, especially since the 4/94 interim evaluation, met MOE and USAID expectations? If not, what lessons have been learned about financial handling of these combined multiple donor funds most especially USAID's portion?

b) Given the agreed 1991 approach taken to USAID's cash deposits via the NPA, was the stipulated Agency monitoring via the agreed annual budget, bank statements/reconciliations, quarterly expenditure reports against agreed Sector Plan Budget and annual audits appropriate? Were any found unuseful? Might other devices have proven more helpful?

c) Other ways exist to handle NPA dollar cash payments. E.g., not into a MOE account but just to a Ministry of Finance and its Treasury, or putting the dollars directly into a Central Bank account in Maseru instead of maloti. Do the evaluators find that USAID's chosen approach for Lesotho worked out, with the benefit of hindsight, reasonably well or not?

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- C. Methods and procedures: The contractor team will undertake such steps as, but not limited to, the following:
1. Review the PAAD; PROAG; Country Program Strategic Plan; successive Project Implementation Reports of the Lesotho Mission; OU contract; the April '94 Interim Evaluation; World Bank's *Staff Appraisal report, Kingdom of Lesotho, Education Sector Development Project, June 19, 1991*; MOE's *Education Sector Development Plan 1991/92 - 1995/96*; MOE/world Bank *Development Credit Agreement of July 19, 1991*; MOE's *Annual Plan Implementation Report 1993/94 and 1994/95*; MOE's *Annual Plan 1994/95 and 1995/96*; MOE's annual statistical reports for 1993 and 1994; IIEP's *Primary Education in Lesotho, indicators 1992*; USAID's *Overview of A.I.D. basic education programs in sub-Saharan Africa, 1/93*; contractor's quarterly and annual progress reports; short-term consultants' reports; and end-of-tour reports for departed LTAs.
 2. Hold meetings and one-on-one interviews with relevant parties in Maseru, including, but not limited to: USAID personnel, MOE Planning Unit and other unit officers, OU Chief-of-Party and the LTAs, other GOL ministry officials, MOE staff returned from U.S. and regional trainings; if deemed appropriate, the World Bank's task manager for this project in Washington (unless temporarily present in Maseru) and that Manager's past *Aide Memoirs* covering supervision missions to Lesotho.
 3. Reliance to extent possible on empirical findings including but not limited to analyses of appropriate published statistical data, the various above-listed and other documents, and results of meetings/interviews.
 4. A few field visits to selected primary schools, district resource centers.
 5. Coordinate with any World Bank parallel evaluation (or review).

ARTICLE IV - REPORTS

- A. Team Report: The team shall prepare and submit a draft report to USAID and MOE officials for their review one week before end of full-team effort. Shortly thereafter the team shall orally brief USAID and MOE officials (also World Bank evaluator/reviewer, if available) on team findings. Within three working days USAID and MOE officials shall provide comments to the team for incorporation into final report.
- B. Report Format: Both draft and final reports are to include but not necessarily be limited to:

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1. **An Executive Summary:** states the development objectives of the Program/Project; purpose of the evaluation; study methods used; findings, conclusions, and recommendations; and lessons learned about the design and implementation of this type of development activity (please refer to Appendix A).
 2. **A project Identification Data Sheet** (please refer to Appendix B)
 3. **Table of Contents**
 4. **Body:** To include discussion of (1) the purpose and study questions of the evaluation; (2) the economic, political, and social context of the Mission's Program/Project; (3) team composition and study methods (one page maximum); (4) evidence/findings of the study concerning the evaluation questions; (5) conclusions drawn from the findings, stated in succinct language; and (6) recommendations based on the study findings and conclusions, stated as actions to be considered for future USAID educational projects especially in sub-Saharan Africa. 40-page limit. Detailed discussions of methodological or technical issues may be included in the appendices.
 5. **Appendices:** To include among others, (a) a copy of the evaluation scope of work, (b) the current logframe, c) a list of documents consulted and (d) individuals/agencies/offices contacted. Additional appendices may include a brief discussion of study methodology and technical topics if necessary.
- C. Distribution and numbers of copies of draft and final report:**
1. The draft Report shall be provided as follows:
 - 6 copies to MOE, Maseru
 - 3 copies to USAID, Maseru
 - 1 copy to USAID, Mbabane
 2. Final Report:
 - 5 copies to AID/W offices to be specified
 - 1 copy to World Bank Task Manager, Lesotho Education Sector, Washington
 - 10 copies to the MOE, Maseru
 - 8 copies to USAID (3 to Maseru, 3 to Mbabane, 2 to Gaborone)

ARTICLE V - RELATIONSHIPS AND RESPONSIBILITIES: The specified Team Leader will coordinate the study in Lesotho. The team will work closely with the USAID Coordination Office, Maseru, and through that Office with the USAID Project Officer, Mbabane, Swaziland. The Coordination Office will coordinate the logistical support to be provided by the Mission. Principal Ministry contact will be the Head of Planning Unit, MOE. USAID will coordinate with the MOE Planning Unit on all official contacts with the GOL. Each member of the evaluation team should have their own laptop computer and be proficient in using WordPerfect for Windows 6.1 which is utilized by the Coordination Office.

ARTICLE VI - PERFORMANCE PERIOD: From June 11 through July 13, 1996 (five weeks). The total number of authorized working days is 28 plus up to 4 travel days (per AID regulations weekend travel days not paid the daily consultancy fee).

ARTICLE VII - SPECIAL PROVISIONS

A. Logistic Support:

1. The Coordination Office will provide full access to its files, use of phone lines during normal office hours, all long distance calls and faxes to be separately paid by the team. All other logistical support shall be provided by the contractor including working space in one or both hotel rooms/suites.
2. MOE will provide occasional meeting space, access to all pertinent officers for interviews, discussions.

B. Work week: Six-day week is authorized while in Lesotho.

APPENDIX B
USAID PROJECT EVALUATION SUMMARY

PART I-ABSTRACT

The Primary Education Program (PEP) included USAID Non-Project Assistance (NPA) funding and the Primary Education Project portion which provided technical assistance to the Lesotho Ministry of Education (MOE). The focal point of PEP was to bring about educational policy and institutional reform to achieve goals identified in the Lesotho Education Sector Development Plan (ESDP) 1991/92 - 1995-96. The ESDP emphasized the improvement of primary education. The Primary Education Program targeted three major areas of reform: (a) increasing financial resources for education; (b) increasing the quality and efficiency of primary schooling; and (c) improving education management. Many constraints were faced by both the Ministry of Education and PEP personnel due to a number of events including: delays on the part of USAID between the beginning of PEP and signing the Primary Education Project Contract; change to a democratic government in Lesotho; one government coup; sporadic teacher strikes; student demonstrations at the National Teacher Training College (NTTC); a USAID one-month stop-work order and the associated cessation of technical assistance; changes in key personnel in the MOE, USAID, and the technical assistance team; and the closing of PEP one year earlier than the intended Project Assistance Closure Date of September 1997. In spite of all these constraints, major achievements were accomplished with the assistance of PEP

Support within the MOE was found both for the quality of technical assistance provided through the Primary Education Project and the use of Conditions Precedent (CPs) for incremental funding through USAID Non-Project Assistance. Major achievements included: 1) passage of the Education Act 1995 requiring, among other reforms, significant participation of parents, teachers and community members as members of school advisory and management committees; registration of schools; establishment of a National Curriculum Committee; and regulations related to appointment, duties, conduct, retirement and registration of teachers; 2) extension and upgrading the quality of the education management information system; 3) establishment of effective inservice training program for unqualified teachers and head teachers; 4) restructuring of NTTC; 5) revision of syllabi for all primary school subjects; 6) significant reduction of underage children in Standard 1; 7) implementation of formal assessment, and 8) planning of a new financial management system (though not yet the achievement of that system).

PART II—USAID EVALUATION SUMMARY

PURPOSE OF EVALUATION AND METHODOLOGY USED

This external final evaluation is one of two evaluations specified in the project/program design. The first, the interim evaluation, was conducted in April 1994. As a consequence of early closure of the Primary Education Program (PEP), this second, and final, evaluation comes one year earlier than planned in the original Project Agreement.

Methodology of the evaluation included four areas of study: (1) review of documents; (2) interviews; (3) field visits to schools; and (4) reporting and feedback sessions with appropriate personnel. A total of 78 documents and reports were reviewed, many of which were long-term and short-term advisor reports and special studies conducted under the technical assistance part of PEP. Interviews were held with 57 individuals including representatives from: the Planning Unit; National Curriculum Development Centre; Field Services; National Teacher Training College; Educational Facilities Unit; School Supplies Unit; Principal and Deputy Principal Secretaries, MOE; Financial Management; Ministry of Finance; Ministry of Planning; Examination Council of Lesotho; and two church organization education secretariats. Field visits were made to two primary schools and a newly constructed District Resource Centre in the Leribe District. Reporting and feedback sessions included one formal session with representatives from the MOE, Primary Education Project team; and USAID/Lesotho Coordination office, as well as informal feedback sessions with appropriate personnel including the USAID Project Officer.

PURPOSE OF ACTIVITY(IES) EVALUATED

PEP is comprised of both program (non-project assistance, or NPA) and project assistance (collectively called the program). The program's goal was to improve the quality and efficiency of primary education through the establishment of a new policy framework and reformed institutional structure. The main purpose of the Primary Education Project, the technical assistance aspect of the program, was to provide the MOE with the technical assistance necessary to facilitate the policy reform and institutional development required to ensure success of the overall development of the Education Sector Development Plan. The three program areas were: policy and institutional reforms; technical assistance; and local currency expenditures.

FINDINGS AND CONCLUSIONS

Policy and Institutional Reform

Achievements during the life of the Primary Education Program are the result of a healthy

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collaborative effort on the part of the various units in the Ministry of Education, the Government of Lesotho, the project assistance team of both long-term advisors and short-term consultants fielded by the Contractor (Ohio University) and subcontractors (State University of New York at Albany and Creative Associates International); and USAID/Lesotho. The degree to which these collaborative efforts brought about policy and institutional reform is remarkable, especially in view of the disruptive events within Lesotho, early closure of program, and change of personnel associated with the program on the MOE, project and USAID sides. Less than four months after the technical assistance team arrived, a change of government was brought about by the first democratic elections in two or more decades. The democratic process requires more time in decision making since consultation is a key to arriving at democratic action.

The most important achievement was the passage of the Education Act 1995. The legislation brings schools closer to the communities they serve with the mandate of school management committees over clusters of no more than eight primary schools and a school advisory committee for each primary school. A National Curriculum Committee is to be implemented to review the curriculum for primary and post primary schools, and to advise the Minister and the Principal Secretary. All schools and all teachers must register with the Ministry of Education and guidelines are established regarding appointment, duties, conduct, and retirement of teachers. The legislation is still to be fully implemented in the schools and in the MOE but appropriate planning of implementation is well underway.

Other policy and institutional reform is evidenced by a significant increase in the amount of expenditure per pupil in primary schools, the use of EMIS data and information obtained through special studies conducted by short-term consultants and the long-term advisors, the implementation of revised syllabi, the initiation of a curriculum database and item bank for testing, the "regularizing" of the DRT program under the MOE budget, furnishing of many new and existing classrooms with furniture, and the construction of five District Resource Centres.

The conditions precedent (CPs) are viewed by MOE and other ministries as enabling GOL to make commitments and implement significant policy and institutional reform. Nearly universal support was found for tying donor funding to CPs although there also was nearly universal concern regarding the interpretation of means of verifying meeting the CPs. This report offers suggestions to be considered throughout the life of a project to maintain clarity in what is expected for verification and conditions under which modifications may be appropriate.

Constraints

Understaffing in the various units of the MOE and the schools is not an unusual phenomenon in this part of the world; however, the extent of under staffing severely limits the extent to which overloaded units can make lasting gains in improving the quality of education. Of special note are

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the serious understaffing in the Planning Unit and the National Teacher Training College. Other units also face varying degrees of under staffing. Gains have been made in the number of teaching posts approved for the primary schools over the past five years. The level of quality of primary education, however, has not been raised to the extent hoped due inter alia to the lack of qualified teachers in the country. More than 1,700 teachers currently teaching are unqualified. Efforts to provide a 3 ½-year inservice program to qualify primary level teachers has been a great improvement, but increases in primary school enrollment and attrition of qualified teachers leaves many classrooms without qualified teachers.

The Inspectorate has been increased in staff from 13 to 50 officers to serve nearly 200 schools each. Each school is visited about once every two to four years. Even with this nearly 400 percent increase in the number of officers in the Inspectorate, the load for individual officers is still too large if they are to provide assistance in improvement of the quality of instruction in the schools they serve.

Plans have been underway for nearly five years to obtain autonomy for the National Teachers Training College. Autonomy is needed to recruit qualified staff and to increase overall capacity to recruit the number of students desperately needed as teachers in the schools. Severely limited dormitory space restricts the number of students who can attend.

The financial management system is still largely a manual operation, a system that takes excessive time inputting information but retrieval is even more time-consuming and error prone. A new computerized system has been under development with substantial project assistance since 1994 and is expected to be operational in a few weeks. The delay has not been well explained.

Conclusions drawn indicate that capacity of the MOE to bring about policy and institutional reform has been enhanced through the Primary Education Program and the Primary Education Project. The dedicated heads of units will do all they can to sustain the gains that have been made. The early closure of the program has caused some reason to believe that funding by the national government will not be able to sustain per pupil cost in the short run, but plans to regain any loss are being made for the long term.

Technical Assistance

The early closure limited the degree to which some technical assistance could be made available to the MOE, although adjustments were made to increase short-term consultancies over the original contract allocation to provide a greater amount of person months near the closure of the project. Assistance was provided in the areas of: EMIS; testing and evaluation; management of NTTC; and financial management. Strong contributions were made in the first three mentioned areas, while financial management was not as strong a contribution as was desired. The new

computerized system with software designed specifically for the MOE was slow in becoming operational but even that appears to be nearly solved.

Special studies conducted as a part of the Primary Education Project are providing a valid base and guidance to the further improvement of primary education. These studies were designed specifically to meet the unique needs of the MOE.

Three types of training were included in the Primary Education Project. All long-term training took place in the United States and was given high marks by both participants and their supervisors. Short-term training occurred in the United States and in Southern Africa. Participants gained through observing school practices outside Lesotho but some types of training are not readily available in the region. Other opportunities in the region should be explored to serve NCDC staff and other areas of need. In-country training was extensive and provided by long-term resident advisors and short-term consultants brought in by the contractor and subcontractors. The in-country training was rated as of high quality and practical for use by officers in carrying their roles in the MOE.

PRINCIPAL RECOMMENDATIONS

Key recommendations include the need for thorough planning for full implementation of the Education Act; adequate staffing of various MOE units and NTTC; obtaining autonomy of NTTC; increasing output of qualified primary teachers; full implementation of the new financial management system now that it appears the software is functional; inservice of the Inspectorate so officers can have greater impact on improving the quality of instruction in the schools; full implementation of the District Resource Centre concept to more fully decentralize MOE services; and hastened transfer of the PSLE to ECOL.

LESSONS LEARNED

The lessons learned in this project include:

- There are pluses and minuses in the use of CPs. The greater the collaboration is at the outset, the greater the documentation is regarding agreements reached on the part of the MOE and the donor, the greater the chance exists for a feeling of facilitation and partnership on the part of the MOE and GOL.
- Early closure of projects leaves everyone, not just the donor (USAID in this case), in a no-win situation. When developing countries are asked to implement policy and institutional reforms requiring incremental changes and then the donor pulls out prior to the end of the promised length of time, countries are left with unfinished agendas without financial and

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technical support to complete the task.

- USAID rotated six project officers during the five years of PEP. This confused the MOE as those six had varying views of how strictly to judge compliance with CPs. Stability in the USAID project officer position is just as important, if not more so, as stability within the MOE in effective facilitation in achieving program goals.
- USAID/World Bank collaboration during the last four implementation years was not as close as during the preparatory years. Minimal interaction occurred when the Bank task manager was seldom in Maseru (three or four times a year for one week to ten days). Few communications flowed through these two agencies at other times.

APPENDIX C
DOCUMENTS REVIEWED BY EVALUATION TEAM

I. PUBLICATIONS OF THE MINISTRY OF EDUCATION, GOVERNMENT OF LESOTHO

Annual Plan 1993/94, Planning Unit, Ministry of Education, Government of Lesotho, June 1993.

Annual Plan Implementation Report 1993/94. Ministry of Education, Government of Lesotho, 1993.

Annual Plan 1994/95, Planning Unit, Ministry of Education, Government of Lesotho, September 1994.

Annual Plan Implementation Report 1994/95. Planning Unit, Ministry of Education, Government of Lesotho, May 1995.

Annual Plan 1995/96, Planning Unit, Ministry of Education, Government of Lesotho, September 1995.

Education Act 1995, Act No. 10 of 1995. Lesotho Government Gazette Extraordinary, published 17 January 1996.

Education Sector Development Plan, 1991/92 - 1995/96. Ministry of Education, Kingdom of Lesotho, June 1992 (Reprinted February 1994).

Education Statistics 1993. Planning Unit, Ministry of Education, Government of Lesotho, 1993.

Education Statistics 1994. Planning Unit, Ministry of Education, Kingdom of Lesotho, 1994.

Impact Assessment: The Education Sector Development Plan, 1991/92-1995-96. Planning Unit, Ministry of Education, Government of Lesotho, January 1996.

Organizational Structure, Ministry of Education. Government of Lesotho, March 1993.

Primary School Leaving Examination 1995. Printed by the Government Printer, Maseru, Lesotho, 1995.

Primary Syllabus (Revised Copy of Trial), Standards 1, 2 and 3. National Curriculum

Development Council, Ministry of Education, Kingdom of Lesotho, 27 July 1995.

Primary Syllabus (Revised Copy of Trial), Standards 4 and 5. National Curriculum Development Council, Ministry of Education, Kingdom of Lesotho, 27 July 1995.

Primary Syllabus, Standards 6 and 7, Upper Primary. National Curriculum Development Council, Ministry of Education, Kingdom of Lesotho, 1994.

II. OHIO UNIVERSITY CONTRACT AND PROJECT REPORTS

Contract between USAID and Ohio University, AID Contract No. 632-0225-C-00-2182-00, Project No. 632-0225-3-10009, dated 21 September 1992

Modification of Contract, Order No. 632-0225-C-00-2182, dated 21 September 1992.

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 20 August 1993.

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 8 April 1994.

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 9 June 1994.

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 8 July 1994.

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 4 October 1994

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 13 June 1995.

Modification of Contract, Order No. 632-0225-C-00-2182-00, signed 17 November 1995.

Annual Report (1 October 1993 - 30 September 1994), Lesotho Primary Education Program Project. Submitted by G. R. Boardman, COP, et al, 31 October 1994.

Annual Report (1 October 1994 - 30 September 1995), Lesotho Primary Education Project Submitted by G. R. Boardman, COP, et al, 31 October 1995.

End of Project Report Draft (26 October 1992 - 31 August 1996), Lesotho Primary Education Project. Submitted by G. R. Boardman, COP, Field Office, and W. C. Snyder, PI, Ohio University, 31 August 1996.

Quarterly Performance Reports: Lesotho Primary Education Program Project

Reporting Period: 1 October 1994 to 31 December 94

Reporting Period: 1 January 1995 to 31 March 1995

Reporting Period: 1 April 1995 to 30 June 1995

Reporting Period: 1 July 1995 to 30 September 1995

Reporting Period: 1 October 1995 to 31 December 1995

Reporting Period: 1 January 1996 to 31 March 1996

Reporting Period: 1 April 1996 to 30 June 1996

Reports of Long Term Advisors

A Parent Knowledge, Attitude and Practice (K.A.P.) Survey. Prepared by MOE/Information Campaign Office, Afelile Sekhamane, Coordinator, and Ohio University and Creative Associates International, USAID/Primary Education Project, G. R. Boardman, Chief of Party, Primary Education Project, Ministry Of Education, Kingdom of Lesotho, March 1996.

Audit of Accuracy and Data Flow. Prepared by G. R. Boardman, Chief of Party, Primary Education Project, Ministry of Education, Government of Lesotho, March 1996.

Tests and Measurement Advisor to the National Curriculum Development Centre: Final Report. Submitted by R. Barcikowski, Primary Education Project, Ministry of Education, Government of Lesotho, June 12, 1995.

Financial Management Advisor to the Ministry of Education (Draft): Final Report. Submitted by Brett Combs, Primary Education Project, Ministry of Education, Government of Lesotho, August 31, 1995 (Revised 2/9/95).

Financial Management Advisor to the Ministry of Education: Final Report (Draft). Submitted by Zafrul H. Khan, Primary Education Project, 1 November 1995 through 31 August 1996.

National Teachers' Training College Management Advisor, 1 November 1992 to 31 October 1994: Final Report. Submitted by Richard M. Clark, Primary Education Program Project, Ministry of Education, Government of Botswana, 31 October 94 (Attachments for Final Report included).

PEP Re-Implementation Plan Submitted 30 September 1994. Prepared by G. R. Boardman, COP, Brett Combs, Robert Barcikowski, and Richard Clark, Primary Education Project, Ministry of Education, Government of Lesotho, 30 September 1994.

Standard 3 Achievement: 1995 National Test Results. Prepared by Robert Barcikowski, Primary Education Project, National Curriculum Development Centre, Evaluation, Research and Testing Division, Ministry of Education, Government of Lesotho, March 1996.

Reports of Short-Term Consultants

Assessment in the Instructional Program. Prepared by R. Lynn Evans, Creative Associates International, Inc., Primary Education Project, Ministry of Education, Kingdom of Lesotho, June 1995.

Assessment of Progress in Inservice: The District Resource Teacher (DRT) Program. Prepared by R. Lynn Evans, Creative Associates International, Inc., Primary Education Project, Ministry of Education, Kingdom of Lesotho, April 1995.

Consultation with the National Curriculum Development Centre: Trip Report (20 June - 12 August 1994) including Attachments 2 "Notes, Odds and Ends and Helpful Hints" and Attachment 3 "User's Manual." Prepared by Janet Robb, Primary Education Project, Ministry of Education, Government of Lesotho, August 1994.

Consultation with the National Curriculum Development Centre: Trip Report (21 May - 4 June 1993). Prepared by Roger A. Boothroyd, State University of New York at Albany, Primary Education Project, Ministry of Education, Government of Lesotho, 28 July 1993.

Consultation with the National Curriculum Development Centre: Trip Report (February-March 1993). Prepared by Robert P. Grobe, Primary Education Project, Ministry of Education, Government of Lesotho, 12 April 1993.

Development and Implementation of Appropriate Management Systems for the Transition to Autonomy at the National Teacher Training College. Prepared by Dr. A. Maqim Rahmanzai, Ohio University for the Primary Education Project, Ministry of Education, Government of Lesotho, May 1996.

Guidance and Counseling Consultant Final Report, 15 August to September 1995. Prepared by Sally L. Navin, 15 September 1995.

Guidance and Counseling Teachers' Manual for Lesotho Primary Schools, Standards One, Two and Three. Prepared by Sally L. Navin, 15 September 1995.

Information Campaign Assistance Report, 4 June - 23 June 1995. Prepared by Zuheir Al-Faqim, Creative Associates International, Inc., Primary Education Program Project, Ministry of Education, Government of Lesotho, 28 June 1995.

Impact of Primary Education Program Project Policy Initiatives on Lesotho Primary Education. Prepared by John Meyer et al., Primary Education Program Project, Ministry of Education, Government of Lesotho, July 1996.

Lesotho Primary School Resource Mapping Project: SPSS File Documentation. Prepared by Kay Leherr, Program Assistant, Primary Education Project, Ministry of Education, Government of Lesotho, June 1995.

Management Training Follow-Up/Basic Trainers: Skills Workshop Final Report. Prepared by

Nina M. Combs, Consultant, Creative Associates International, Inc., Primary Education Project, Ministry of Education, Government of Lesotho, 23 August 1995.

Organizational Integration in Lesotho Primary Education: Loose Coupling as Problem and Solution. Prepared by John Meyer, Stanford University/Creative Associates International, Inc., Primary Education Project, Ministry of Education, Government of Lesotho, October 1995.

Out-of-School Youths, Alternative Learning Approaches to the Formal System. Prepared by May Rihani, Creative Associates International, Inc., Primary Education Project, Ministry of Education, Government of Lesotho, July 1993.

Procedures for Processing the PSLE. Prepared by Michael Green, University of Albany, and Mary Catherine Leherr, Primary Education Project, Ministry of Education, Government of Lesotho, 24 February 1995.

Review of the Ministry of Education's Social Mobilization Campaign to Inform Communities of MOE Policies and Get Parents More Involved in the Education of their Children in the Kingdom of Lesotho: Trip Report with Six Appendixes, November 2-22, 1994. Prepared by Professor Doe Mayer, Consultant for Creative Associates International, Inc., Primary Education Project, Ministry of Education, Government of Lesotho, 22 November 1994.

Role and Function of School Committees (Training Component) 16 February to 26 March 1996. Prepared by Dr. William Rideout, Creative Associates International, Inc., Washington D.C., 26 March 1996.

School-Based Study Progress Report. Prepared by R. Lynn Evans, Creative Associates International, Inc., for Primary Education Program Project, Ministry of Education, Government of Lesotho, November 1995.

School-Based Study: Progress Report 2. Prepared by Wes Snyder, Lynn Evans, Kay Leherr, and Mofihli Makoele with the cooperation of the NDCU, DKTs, and Planning Unit, Ministry of Education, Government of Lesotho, May 1996.

Social Mobilization Communication Campaign Design on Ministry of Education's Policies to Eliminate Overcrowding in the Primary School System of Lesotho (May 18-21, 1993). Prepared by Prof. Doe Mayer, Consultant for Creative Associates International, Inc., Primary Education Project, Ministry of Education, Government of Lesotho, June 9, 1993.

Supporting Primary Education in Lesotho: Assistance to the Lesotho National Teacher Training College. Prepared by Julia J. Rothenberg, Creative Associates International, Inc., Primary

Education Project, Ministry of Education, Government of Lesotho, August, 1994.

Trip Report, 28 March to 29 April 1994. Prepared by Conrad Wesley Snyder, Jr., Ohio University, Primary Education Project, Ministry of Education, Government of Lesotho, 9 May 1994.

Trip Report, 30 January to 25 February 1995. Prepared by Conrad Wesley Snyder, Jr., Ohio University, Primary Education Project, Ministry of Education, Government of Lesotho, 25 February 1995.

Use of Data for Planning and Indicators Development, Phase One Trip Report. Prepared by C. Howard Williams, Primary Education Project, Ministry of Education, Government of Lesotho, 26 July to 1 September 1995.

Reports Prepared by Participants in Long- and Short-Term Training

John Oliphant, Director, NTTC, Study Tour to USA, June 10-18, 1996
N. Maphasa, Director, NCDC, Study Tour to USA, October 11-21, 1994
P. Sebilo, Capetown Visit Report, Short-term Training, December, 1995

III. USAID/GOVERNMENT OF LESOTHO CONTRACT AGREEMENTS

Primary Education in Lesotho, Indicators 1992. Prepared by Claude Sauvageot, Consultant, International Institute for Educational Planning, UNESCO, 1992.

Primary Education Program, Program Assistance Approval Document. Project Numbers 632-0230/0225, PAAD No. 632-T-602, USAID/Government of Lesotho, 1991.

Program Grant Agreement Between The Kingdom of Lesotho and the United States of America for the Primary Education Program. AID Grant Agreement Number 91-632-3, AID Project Numbers 632-0225/632-0230, AID PAAD Number 632-T-602, September 3, 1991.

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Amendment No. 1, April 30, 1992
Amendment No. 2, August 11, 1992
Amendment No. 3, September 28, 1992
Amendment No. 4, August 26, 1993
Amendment No. 5, December 1, 1994
Amendment No. 6, September 20, 1995

Project Implementation Reports

Period Covered: April 1992 - September 1992
Period Covered: October 1992 - March 1993
Period Covered: April 1, 1993 - September 30, 1993
Period Covered: October 1, 1993 - August 31, 1994
Period Covered: October 1, 1994 - May 15, 1995
Period Covered: May 16, 1995 - October 31, 1995.
Period Covered: November 1, 1995 - March 31, 1996.

Information to be Submitted to USAID to Satisfy Conditions Precedent (CPs): All 4 Tranches, 1992-1996, dated 7 February 1995

IV. USAID PUBLICATIONS AND REPORTS

Assessment of Program Impact: FY 1992. USAID/Lesotho, October 1992.

Basic Education in Africa: USAID's Approach to Sustainable Reform in the 1990's. SD Publication Series, Office of Sustainable Development, Bureau of Africa, Technical Paper No. 14, Prepared by J. DeStefano, Ash Hartwell, Karen Tietjen, September 1995.

Country Program Strategic Plan: USAID/Lesotho, Fiscal Year 1992 - Fiscal Year 1996, November 1991.

Education Sector Data for Assessment of Program Impact: A Consultancy Report. Prepared by Seth D. Vordzorgbe for the Primary Education Project, Ministry of Education, Government of Lesotho, April 1994.

Interim Evaluation: Lesotho Primary Education Project (PEP). Prepared by William Rideout and Bernard Wilder, Management Systems International, Washington, D.C., April 1994.

Overview of A.I.D. Basic Education Programs in Sub-Saharan Africa: Technical Paper No. 1. Office of Analysis, Research and Technical Support, Bureau of Africa, USAID, January 1993.

V. WORLD BANK PUBLICATIONS

Development Credit Agreement (Education Sector Development Project) between Kingdom of Lesotho and International Development Association, World Bank, July 19, 1991.

Implementing Educational Policies in Lesotho. T. Sohl Thelejani, World Bank Discussion

Papers, No. 87, Africa Technical Department Series, Washington, D.C., 1990.

Priorities and Strategies for Education, A World Bank Sector Review. March 31, 1995.

Staff Appraisal Report, Kingdom of Lesotho, Education Sector Development Project. Population and Human Resources Division, Southern Africa Department, World Bank, June 19, 1991.

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APPENDIX D
PERSONS INTERVIEWED: PEP FINAL EVALUATION
 July 26 through August 27, 1996

DATE	NAME	POSITION HELD
Jul 26	Dr. Jack Urner Dr. Gerald Boardman Ms. M. Khalekane	Primary Educ Project Coordinator, USAID Chief of Party, Primary Educ Program, OU Assistant Coordinator, PEP, USAID
Jul 29	Dr. Jack Urner Dr. Gerald Boardman	Primary Educ Program Coordinator, USAID Chief of Party, Primary Educ Program, OU
Jul 30	Dr. T. Khati Mrs. M. Makakole Mr. M. Marite Dr. G. Boardman	Principal Secretary, Ministry of Education Director, Planning Unit, MOE Chief Economic Planner Chief of Party, PEP Project, OU
Aug 2	Mr. Jaspar Stupart	EMIS Consultant (Head, Educ Infor Serv., Western Cape Educ. Dept, Cape Town)
Aug 7	Mrs. Nthuntsi Maphasa Malimpho Mohapeloa Matebello Mokhahlane	Dir, Nat'l Curriculum Development Centre Deputy Director, NCDC Course Designer, NCDC
Aug 7	<u>Short-Term Partic Trng</u> Mabaeti A. Lerotholi Mamolefi Thupane Mamohale Molapo Matebello Mokhahlane Patsa Motsoane Malimpho Mohapeloa Nthuntsi Maphasa	Instructional Designer, NCDC Guidance and Counseling Officer, NCDC English Officer, NCDC Course Designer, NCDC Arts Officer, NCDC Deputy Director, NCDC Director, NCDC

Aug 7	Mrs. N. I. Kokome Mr. T. Ngakane Mr. P. K. Motholo Mr. M. Tsuinyane Mr. C. Moshapane Ms. M. Letsunyane	CEO-Primary (Acting), Field Services, MOE Director, Prim. In-service Educ Program CEO, Secondary Education Director, Teaching Service Department CEO, Teaching Service Chief Inspector (Acting) - Field Services
Aug 8	Mrs. Matsepo Sefeane Mrs. M. R. Matjelo Plus 4 additional DRTs	Senior Resource Teacher (Botha-Bothe) District Resource Teacher (Khukune)
Aug 8	Mr. S. N. Jha Mr. M. Rabolinyane Mr. B. Khatlati Mr. L. Nthunya Mr. T. Mphakalasi	Coordinating Architect, Educ. Facilities Unit Distribution Officer, Educ. Facilities Unit Senior Architect, Educ. Facilities Unit Contracts Manager, Educ. Facilities Unit Distribution Officer, Educ. Facilities Unit
Aug 9	Mr. John N. Oliphant Mrs. E.M. Tsira Mrs. M. Mphalane Mrs. Ntoi Ms. Mahanetsa Mr. Mputsoe Mr. Tsephe Mrs. Khaahloe Mrs. Sebatane	Director, National Teacher Training College, Short Term Partici. Trng (3 wks), SUNY Deputy Director, Acad. Programs, NTTC Deputy Director, Inservice Programs, NTTC Long Term Participant Training, OU Long Term Participant Training, OU Long Term Participant Training, OU Short-Term Participant Training, UWC Short-Term Participant Training, UWC Short-Term Participant Training, UWC
Aug 9	Mr. C. T. Sehlabi Mr. L. Makatjane Mrs. L. M. Masoebe	Manager, School Supply Unit, MOE Laboratory Technician, School Supply Unit Principal Storekeeper, School Supply Unit
Aug 12	Mr. Peter Pule	Registrar, Examination Council of Lesotho

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Aug 13	Mr. L. B. Mokotoane Mr. Mokete Khotle Mr. Mpoea Z. Phatela	Principal Secretary, Ministry of Finance Asst. Economic Planner, Ministry of Planning Senior Econ. Planner, Ministry of Planning
Aug 13	Rev. L. Kheekhe Mr. H.M. Tiheli	Anglican Church in Lesotho Sch. Secretariat Educ. Secretary, Lesotho Evangelical Church
Aug 16	Mrs. M. Makakole	Director, Planning Unit, MOE
Aug 27	Mrs. Nyakallo Seitheko Mrs. Anna Sekhobe Mr. Paul Latela	Deputy Principal Secretary, MOE Financial Controller, MOE Principal Accountant, MOE
Aug 14	Field Visits Mr. T. Mokobori Mrs. M. Lesana Mrs. Alma Macheli Somolo Primary Sch. Khanyane Prim. Sch. Dist. Resource Ctr.	Leribe District Constr. Superv, Educ. Facilities Unit and Guide to Leribe District Senior Education Officer, Laribe District Education Officer, Leribe District Mrs. Makatso Molise, Head Teacher Mr. David Mokone, Head Teacher New Construction, will open in few days



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ACT NO. 10 OF 1995

EDUCATION ACT 1995

An Act to consolidate all the enactments relating to education and to provide for matters incidental thereto.

Enacted by the Parliament of Lesotho

Part I - Preliminary

Short title and commencement

1. This Act may be cited as the Education Act 1995 and shall come into operation on the date of its publication in the Gazette.

Interpretation

2. In this Act, unless the context otherwise requires,

"Adjudicator" means the Adjudicator appointed under section 70;

"appointing authority" in relation to a teacher means the Commission in the case where the teacher is appointed by the Commission or, in the case where a teacher is appointed by an Educational Secretary or Supervisor that Educational Secretary or Supervisor;

"Commission" means the Teaching Service Commission established under section 144 of the Constitution of Lesotho;

"church" means any religious body which carries out educational work;

"Educational Secretary" means a person appointed as such by a church in terms of section 24;

"management committee" means a management committee referred to in this Act;

"Minister" means the Minister responsible for education;

"parent" includes a guardian;

"post-primary school" means a secondary school, a high school or a technical and vocational school;

"principal" means a teacher in charge of a school;

"Principal Secretary" means the Principal Secretary in the Ministry responsible for education;

"proprietor" in relation to a school means any person, church, society or corporation by whom or by which a school is established or to whom or to which an established school is transferred;

"school" means an institution which provides pre-primary, primary or post primary education but does not include,

- (a) any institution or organisation which provides education which is wholly of a religious character;
- (b) any institution owned or maintained by a religious body for the purpose of training persons for the ordained ministry or for admission to a religious order; or

- (c) any training institution owned by Government, a Ministry or Government Department;

"Supervisor" means a supervisor of a Government school;

"teacher" means a person employed in a school for purposes of instruction either on a full time or part time basis and who possesses qualifications prescribed by the Minister under section 33.

Purposes and objectives of this Act

3. (1) It shall be the duty of every person concerned with the administration of this Act to promote the education of the people of Lesotho, and in particular, but without prejudice to the generality of the foregoing to ensure that, as soon as circumstances permit,

- (a) every child is provided with opportunities and facilities to enable him to develop physically, mentally, morally, spiritually and socially in a healthy, normal manner and in conditions of freedom and dignity;
- (b) a child who is physically and mentally handicapped is given the special treatment, education and care required by his condition;
- (c) the best interests of the child shall be the guiding principles of those responsible for the education and guidance of the child.

(2) It shall be the duty of,

- (a) a parent of a child of school going age to cause that child to receive full time education suitable to his age, ability and aptitude by regular attendance at school or otherwise;
- (b) every person concerned with the education of a child,
 - (i) to ensure that the child is protected from practices which may foster racial or any other form of discrimination or prejudice;
 - (ii) to provide conditions which foster tolerance, friendship amongst people, peace and universal brotherhood; and

Classification of schools

4. The Minister shall classify schools according to the following categories:

- (a) Government schools which are schools owned by the Government;
- (b) church schools which are schools owned by the churches;
- (c) community schools which are schools owned by the community;
- (d) private schools which are schools owned by individuals, group of individuals or organisations and not funded by the Government.

Part II - Registration of Schools

Schools to be registered

5. (1) Every school shall be registered in accordance with this Act and no person shall operate a school unless it is so registered.

(2) If a school provides evening instruction in addition to other education, there shall be deemed to be a separate school in respect of the evening instructions and such separate school shall also be registered.

(3) The Minister shall register schools according to the following categories:

- (a) pre-primary schools which provide up to 3 years of early childhood education;
- (b) primary schools which provide education up to 7 years of education;
- (c) secondary schools which provide 3 years of post-primary education to a Junior Certificate level;
- (d) high schools which provide up to 5 years of post-primary education to Ordinary Level or up to 7 years to Advanced Level;
- (e) technical and vocational school.

(4) The Minister shall,

- (a) regulate the number of pupils to be admitted;
- (b) regulate the number of the teaching staff;
- (c) prescribe the subjects or curriculum to be provided, and the syllabus to be followed in respect of such subjects,

at any school registered under this Act.

(5) A person who contravenes the provisions of subsection (1) or (2) commits an offence and is liable on conviction,

- (a) in the case of a natural person - to a fine not exceeding M3,000 or imprisonment for a period not exceeding 3 years or to both;
- (b) in the case of an educational society, church, society, corporation or board - to a fine not exceeding M10,000.

Opening of new schools

6. (1) No person shall open a new school or add new classes to an existing school unless the opening of the new school or addition of the new classes has been approved by the Minister and registered in accordance with the provisions of this Act.

(2) A person who contravenes the provisions of subsection (1) commits an offence and is liable on conviction,

- (a) in the case of a natural person - to a fine not exceeding M2,000 or imprisonment for a period not exceeding 2 years or to both;
- (b) in the case of an educational society, church, society, corporation or board - to a fine not exceeding M10,000.

Applications

7. A person who wishes to,

- (a) open a new school;
- (b) upgrade or downgrade an existing school;
- (c) change the form of school;
- (d) add new classes to an existing school; or
- (e) transfer a school site,

shall apply to the Minister.

Registration

8. On receiving an application in accordance with section 7, the Minister shall make such inquiry as he considers necessary and shall determine the application by,

- (a) registering the school in respect of which the application was made;
- (b) approving the upgrading, downgrading, change of form of school, transfer of a school site or addition of new classes to an existing school, as the case may be;

- (c) refusing under section 9 to register the school.

(2) The Minister shall communicate in writing, his determination of the application to the applicant.

Grounds for refusal to register school

9. The Minister may refuse to register a school if it appears to him,

- (a) that there would be any danger to persons using the proposed school premises, whether arising inside or outside the premises;
- (b) that the proposed premises are or are likely to be unsuitable for use for the purposes of a school;
- (c) that any provision of this Act is being or will be contravened in respect of the school;
- (d) that the qualifications and experience of the proposed teachers are not adequate to ensure the satisfactory operation of the school;
- (e) that adequate educational facilities already exist in the area in which it is proposed to operate the school.

Certificate of registration

10. (1) On registering a school, the Minister shall issue to the proprietor a certificate of registration in the prescribed form.

- (b) a record containing the name and address of every member of the approved management committee;
- (c) register of teachers, in which shall be entered the name of every registered teacher and his qualifications;
- (d) a record containing the name and address of every proprietor.

Grants in aid

16. (1) The Minister may, after consultation with the Minister responsible for finance, make to any proprietor a grant in aid from public funds for any educational purposes upon such conditions as the Minister may prescribe.

(2) The Minister may, after consultation with the Minister responsible for finance, withdraw the whole or part of the grant, if the proprietor does not fulfil the conditions prescribed by the Minister.

Part III - Management Committees of Schools

Management Committees of Primary Schools

17. (1) Every primary school shall be managed by a management committee appointed by the proprietor and approved by of the Minister.

(2) Each management committee shall be responsible for a maximum of eight schools which belongs to one proprietor.

(3) Each management committee shall consist of the following members elected from various School Advisory Committees:

- (a) two members elected by representatives of the proprietor, one of whom shall be Chairman;
- (b) three members elected by representatives of parents, one of whom shall be Vice-chairman;
- (c) one teacher elected by representatives of teachers;
- (d) the principal elected by the principals of the schools under one management committee who shall be the secretary;
- (e) one representative of chiefs under whose jurisdiction the eight schools which belong to one proprietor fall.

(4) The Minister may in writing withdraw his approval of the management committee or of a member if the management committee or if a member fails to carry out its or his functions efficiently.

(5) A member of the management committee whose approval has been withdrawn under subsection (4) shall not become a member of any management committee without the written approval of the Minister.

(6) A member of the management committee holds office for a period of three years, and is eligible for re-appointment.

(7) The management committee shall meet at least four times a year.

(8) The Chairman shall preside at all meetings of the management committee and, in his absence, the Vice-Chairman shall preside.

(9) The decisions of the management committee shall be by the majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote in addition to his deliberative vote.

(10) Five members of the management committee shall form a quorum.

Responsibility of the Management Committee

18. The management committee shall,

- (a) supervise the schools for which it has been constituted;
- (b) be responsible for the management and for the proper and efficient running of the schools under its jurisdiction;
- (c) recommend to the Educational Secretary or Supervisor as the case may be, the appointment, discipline, transfer, removal from office of a teacher other than a teacher whose salary is paid by the Government;
- (d) on the advice of the District Education Officer, recommend to the Educational Secretary or Supervisor the promotion or demotion of a teacher other than a teacher whose salary is paid by the Government.

Advisory School Committees of Primary Schools

19. (1) There shall be an Advisory School School Committee for every primary school.

(2) Each Advisory School Committee shall consist of the following members appointed by the proprietor:

- (a) two representatives of the proprietor;
- (b) one representative of teachers who shall be the secretary;
- (c) four members of the community served by the school who shall be elected by parents of pupils admitted in that school;
- (d) a chief of the area where the school is situated or his representative;
- (e) the principal of the relevant school.

(3) The appointment of members of the Advisory School Committee shall be subject to the approval of the Minister.

(4) A member of the Advisory School Committee (other than a member referred to in paragraph (e)) holds office for a period of three years, and is eligible for re-appointment.

(5) The Advisory School Committee shall meet at least eight times a year.

(6) The Chairman shall preside at all meetings of the Advisory School Committee and, in his absence, the Vice-Chairman shall preside.

(7) The decision of the Advisory School Committee shall be by the majority of members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote in addition to his deliberative vote.

(8) Five members of the Advisory School Committee shall form a quorum.

Election of Chairman and Vice-Chairman

20. The members of the Advisory School Committee shall elect both the chairman and vice-chairman of the Advisory School Board from members referred to in paragraphs (2)(a), (c) or (d).

Function of the Advisory School Committee

21. The function of the Advisory School Committee is to advise the management committee on all matters relating to education in the relevant school.

School Boards of post-primary schools

22. (1) Every post-primary school shall be managed by a School Board appointed by the proprietor.

(2) The appointment of the member of the School Board shall be subject to the approval of the Minister.

(3) The School Board shall consist of,

- (a) two representatives of the proprietor, one of whom shall be Chairman;
- (b) three members of the community served by the school, who shall be elected by parents of pupils admitted

in that school, one of whom shall be Vice-chairman;

- (c) one representative of teachers, who shall be elected by teachers who teach in that school;
- (d) a chief of the area where the school is situated or his representative;
- (e) a principal of the relevant school who shall be the secretary of the School Board.

(4) The Minister may in writing withdraw his approval of the School Board or of a member if the School Board or a member fails to carry out its or his functions efficiently.

(5) A member of the School Board holds office for a period of three years and is eligible for reappointment.

(6) The School Board shall meet at least four times a year.

(7) The Chairman shall preside at all meetings of the School Board and, in his absence, the Vice-Chairman shall preside.

(8) The decisions of the School Board shall be that of the majority of members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote in addition to his deliberative vote.

(9) Four members of the School Board shall form a quorum.

Responsibility of the School Board

23. The School Board shall,

- (a) supervise the school for which it has been constituted;
- (b) be responsible for the management and for the proper and efficient running of the school;
- (c) recommend to the Educational Secretary or Supervisor as the case may be, the appointment, discipline, transfer, removal from office of a teacher other than a teacher whose salary is paid by the Government;
- (d) on the advice of the District Education Officer, recommend to the Educational Secretary or Supervisor as the case may be, the promotion or demotion of a teacher other than a teacher whose salary is paid by the Government.

Educational Secretaries

24. (1) A church that is a proprietor shall, subject to the approval of the Minister, appoint a person resident in Lesotho to be an Educational Secretary of that church.

(2) The Minister may withdraw his approval if an Educational Secretary does not carry out his work satisfactorily.

(3) The Educational Secretary shall,

- (a) organise, co-ordinate and supervise the educational work of the proprietor that appointed him;
- (b) liaise with the Ministry responsible for education on matters of management of schools; and
- (c) perform such other duties as may be assigned to him by the Minister.

(4) Subject to subsection (5), no Educational Secretary shall be appointed to any committee established under this Act unless he is the Educational Secretary of a proprietor with a minimum of 200 schools.

(5) No Educational Secretary or any member of his staff shall be a member of a management committee, School Board or Advisory School Committee.

Supervisor of Government Schools

25. (1) There shall be a Supervisor of Government schools.

(2) The Supervisor shall be appointed by the Minister on such terms and conditions as the Minister thinks fit.

(3) The Supervisor shall not be a member of the School Board, the Management Committee or Advisory School Committee.

(4) The functions of the Supervisor are to supervise the administration of Government schools and other schools which the Minister may place under his charge.

Part IV - Establishment of the National Curriculum Committee

Establishment of the National Curriculum Committee

26. (1) There is established the National Curriculum Committee.

(2) The National Curriculum Committee shall consist of,

- (a) the Chief Education Officer (Secondary) who shall be Chairman;
- (b) the Chief Education Officer (Curriculum Management) who shall be Vice-Chairman;
- (c) the Chief Inspector (Headquarters);
- (d) the Chief Inspector (Field Services);
- (e) the Director of the National Curriculum Development Centre who shall be the Secretary;
- (f) the Dean of the Faculty of Education of the National University of Lesotho;
- (g) the Director of the Institute of Education;
- (h) the Director of the National Teacher Training College;
- (i) the Director of the Technical and Vocational Education and Training;

- (j) the Registrar of the Examinations Council of Lesotho;
- (k) one representative of a designated teachers' association;
- (l) three Educational Secretaries representing school proprietors each of whom owns a minimum of 200 schools;
- (m) Principal of Lesotho Agricultural College;
- (n) Director of National Health Training Centre;
- (o) Chief Education Officer (Primary); and
- (p) Chief Education Officer (Tertiary).

(3) A member referred to in paragraph (e) holds office for a period of three years and is eligible for reappointment.

(4) If a member referred to in paragraph (k) fails to attend three consecutive meetings without giving reasons to the Chairman, the Minister may declare his office vacant and the nominating authority shall nominate a substitute to fill the vacancy.

Meetings of National Curriculum Committee

27. (1) The National Curriculum Committee shall meet at least twice during a calendar year and shall hold special meetings as the Chairman may determine or at a written request of not less than seven members.

(2) The Chairman shall preside at all meetings of the National Curriculum Committee and in his absence the Vice-chairman shall preside.

(3) The decisions of the National Curriculum Committee shall be on the majority votes of members present and voting, and the person presiding shall have a deliberative and a casting vote in case of equality of votes of members.

(4) Ten members of the National Curriculum Committee shall form a quorum at its meetings.

Function of the National Curriculum Committee

28. The function of the National Curriculum Committee is to review the curriculum for primary and post primary schools, and advise the Minister through the Principal Secretary.

Standing Committee

29. There shall be a Standing Committee of the National Curriculum Committee consisting of,

- (a) the Chairman of the National Curriculum Committee who shall be Chairman of the Standing Committee;
- (b) the Chief Education Officer (Secondary) who shall be the Vice-chairman;
- (c) the Director of the national Curriculum Development who shall be secretary;
- (d) the Dean of the Faculty of Education of the National University of Lesotho;

- (e) one representative of a designated teachers' association; and
- (f) one representative of Educational Secretaries of school proprietors each of whom owns a minimum of 200 schools, nominated by Educational Secretaries.

Functions of the Standing Committee

30. The Standing Committee shall perform such functions as the National Curriculum Committee may, from time to time, assign to it.

Part V - Lesotho Teaching Service

Lesotho Teaching Service

31. (1) The Lesotho Teaching Service established under section 144 of the Constitution of Lesotho shall be within the Ministry responsible for education and its offices shall be determined by the Minister after consultation with the Minister responsible for finance.

(2) The Minister may, subject to the concurrence of the Minister responsible for finance, create or abolish any office in the Lesotho Teaching Service.

Entry into the Lesotho Teaching Service

32. (1) No person shall be employed as a teacher unless he has been registered with the Lesotho Teaching Service.

(2) No person shall employ as a teacher, any person who is not registered with the Lesotho Teaching Service.

(3) A person who contravenes the provisions of this section commits an offence and is liable on conviction to a fine not exceeding M5,000.

Qualifications

33. The Minister shall prescribe educational qualifications required for a person to be registered with the Lesotho Teaching Service.

Application for registration

34. (1) Any person who is desirous of being registered with the Lesotho Teaching Service as a teacher shall apply to the Principal Secretary.

(2) An application for registration as a teacher shall be made in such form as the Minister may prescribe.

(3) On registering an applicant as a teacher under this section, the Principal Secretary shall issue to the applicant a certificate of registration in the prescribed form.

Registration of teachers

35. The Principal Secretary shall register as a teacher, any person who,

- (a) has completed successfully a course of training as a teacher; and
- (b) satisfies the Principal Secretary that he is a person of good character.

Medical examination

36. The Principal Secretary shall, before registering a person as a teacher, require such person to undergo medical examination.

Persons not qualified

37. (1) Notwithstanding section 35(a), the Principal Secretary may on the advice of the Joint Reference Committee register any person to teach notwithstanding that such person has not completed or has not successfully completed a course of training as a teacher or has not attended such a course.

(2) The Principal Secretary may make the registration under subsection (1) subject to the condition that the teacher only teaches a particular subject or subjects or only teaches in a particular class or classes of school.

Grounds for refusal to register a teacher

38. The Principal Secretary may refuse to register an applicant as a teacher if the applicant,

- (a) has a record of conduct/character not befitting a teacher;
- (b) has been convicted of an offence and sentenced to imprisonment without an option of a fine;
- (c) is medically unfit;
- (d) does not possess the prescribed educational qualifications; or
- (e) has attained the age of sixty-five years.

Grounds for removal of names from register of teachers

39. (1) The Principal Secretary shall remove from the register of teachers the name of a teacher,

- (a) on any ground specified in section 38 which applies to the teacher, whether or not such ground existed at the time when he was registered as a teacher;
- (b) who dies;
- (c) who applies for removal from the register of teachers; and
- (d) who has been dismissed under the provisions of this Act.

(2) A person whose name has been removed from the register of teachers may apply to the Principal Secretary for his name to be restored to the register.

(3) When an application is made to the Principal Secretary under subsection (2), the Principal Secretary may,

- (a) refuse the application;
- (b) grant the application; or
- (c) grant the application subject to conditions.

(4) Where the Principal Secretary removes the name of a teacher from the register of teachers, he shall forthwith cause to be served upon that teacher and upon the proprietor of the school employing that teacher notice of such removal.

(5) As soon as a teacher has been served with a notice that his name has been removed from the register of teachers, he shall return to the Principal Secretary his certificate of registration.

(6) A teacher whose name has been removed from the register of teachers, who fails to return his certificate of registration to the Principal Secretary within 30 days of the notice being served upon him, commits an offence and is liable on conviction to a fine not exceeding M100.

Appeals

40. (1) A teacher who is aggrieved by a decision of the Principal Secretary to remove his name from the register of teachers, may appeal to the Minister within 60 days of such decision being served on him.

(2) If as a result of an appeal the name of a teacher is restored to the register, the teacher's name shall be deemed never to have been removed from the register, and if his employment has been terminated by reason of the removal of his name from the register, he shall forthwith be re-employed by his employer and paid by his employer his salary in full with effect from the date it ceased to be paid:

Provided that if as a result of an appeal the teacher's name is restored to the register subject to conditions, it shall be in the discretion of the employer whether he re-employs the teacher or pays him any salary in respect of the period when his name was off the register.

Employment of teachers

41. (1) Upon the coming into operation of this Act,

(a) no person shall teach in any school unless he is registered with the Lesotho Teaching Service;

(b) no proprietor shall allow a person to teach in any school unless such person is registered with the Lesotho Teaching Service.

(2) Notwithstanding the provisions of subsection (1), a teacher already in employment upon the coming into operation of this Act shall continue to teach for a period of 90 days within which he shall register with the Lesotho Teaching Service in accordance with this Act.

(3) Any person or proprietor who or which contravenes the provisions of this section commits an offence and is liable on conviction to a fine not exceeding M1,000.

Part VI - Appointment of Teachers

Appointment, promotion etc. of a teacher

42. (1) The power to appoint a teacher and to promote, demote, transfer, discipline or remove from office such a teacher shall vest in the Commission.

(2) Subsection (1) shall not apply to a teacher whose salary is not paid by the Government.

Appointment of a teacher other than a teacher paid by the Government

43. The power to appoint, promote, demote, transfer, discipline or remove from office a teacher other than a teacher whose salary is paid by the Government shall vest in the relevant Educational Secretary or relevant Supervisor.

Conditions of service of a teacher

44. Notwithstanding any other law, the conditions of service, including leave and salary entitlement, of a teacher shall be prescribed by the Minister.

General duties of teachers

45. A teacher shall,

- (a) serve the school to which he is posted;
- (b) obey all lawful orders of persons who have lawful authority either within or over the school the teacher is posted; and
- (c) exercise the functions of his post impartially, efficiently and without delay.

Whole time of teacher at disposal of school

46. (1) A teacher shall place the whole of his time at the school to which he is posted.

(2) No teacher shall claim as of right additional remuneration in respect of any official duty or work any lawful authority may require him to perform.

Private employment and private interests

47. (1) No teacher shall, without the approval of the Minister, while the teacher is on leave or otherwise,

- (a) be employed in any other occupation outside the Lesotho Teaching Service; or

- (b) accept any money, fee, gratuity or reward for services rendered otherwise than in the Lesotho Teaching Service.

(2) Nothing in this section shall be construed as preventing a teacher from,

- (a) becoming a member or shareholder only, of an incorporated company or of a company or society of persons registered under any law; or
- (b) receiving royal payment or fees for rendering professional services as may be prescribed by the Minister.

(3) If the appointing authority has reason to believe that a teacher has any financial interest (including loans and shares) in any undertaking, being an interest which is in the opinion of the appointing authority incompatible with the true and proper discharge of his duties as a teacher, that teacher may be required to notify the appointing authority whether such an interest exists, and the appointing authority (whether such a notification has been received) may require that the teacher disposes of all interest of a nature specified by the appointing authority.

(4) The Minister may, by notice published in the Gazette, exempt a teacher or group of teachers and any kind of interest or employment, from the provisions of this section, and such an exemption may be absolute or may be subject to conditions specified in the notice. The Minister may at any time vary or cancel such an exemption.

Part VII - Conduct of Teachers

Breach of discipline

48. A teacher commits a breach of discipline and is liable to disciplinary proceedings and to punishment specified in section 53 of this Act if he,

- (a) by any act or omission fails or refuses to comply with a provision of this Act;
- (b) by any act or omission fails or refuses to comply with a provision of any law which provides that such a failure or refusal by a teacher is a breach of discipline or misconduct;
- (c) discloses confidential information acquired in the course of his duties otherwise than in the discharge of such duties;
- (d) is convicted of any criminal offence;
- (e) uses his position as a teacher to further private or party political aims or to encourage disobedience or resistance to laws of Lesotho;
- (f) accepts appointment to any position in or connected with a committee or branch of any political party, or becomes a member of the of National Assembly or Senate;
- (g) conducts himself improperly in his official capacity or in any way that affects adversely

the performance of his duties as a teacher or that brings the Lesotho Teaching Service or his school into disrepute;

- (h) absents himself from duty without reasonable excuse.

Certified copy of the record

49. If the breach of discipline that is alleged against the teacher is also a criminal offence for which he has been convicted, a certified copy of the record of his trial and conviction by the court is, upon the identification of the teacher as the person referred to in the record, sufficient proof of the commission by him of that offence unless the conviction has been set aside by a higher court.

Acquittal not a bar to disciplinary proceedings

50. The acquittal or the conviction of a teacher by a court of law upon a discharge of a criminal offence shall not be a bar to disciplinary proceedings against a teacher under this Act on a charge of a breach of discipline.

Interdiction

51. The appointing authority may at any time before or after disciplinary proceedings against a teacher or before or after a teacher has been charged with criminal offence or with a breach of discipline, interdict him from performing his duties and the appointing authority, may at any time, cancel that interdiction whether or not the proceedings are continued.

Emoluments on interdiction

52. A teacher who has been interdicted in terms of this Act shall not be entitled to any emoluments for the period of his

interdiction but the appointing authority, may in its discretion order payment to that teacher of the whole or portion of his emoluments.

Punishment

53. (1) The following punishments may be imposed on a teacher who has been found to have committed a breach of discipline under section 48,

- (a) caution or reprimand;
- (b) loss of an increment otherwise due;
- (c) a fine that may be recovered by deduction from his salary in instalments;
- (d) suspension of the payment of an increment until conditions are fulfilled or disciplinary, civil or criminal proceedings have been concluded;
- (e) loss of contract gratuity or suspension of the payment of contract gratuity until conditions are fulfilled or disciplinary, civil or criminal proceedings have been concluded;
- (f) removal from office by compulsory retirement;
- (g) removal to an office of lower rank; and
- (h) dismissal.

(2) Punishment may be imposed under more than one of the provisions of subsection (1) except in the case of dismissal or compulsory retirement or other termination of appointment.

(3) If a teacher has committed a breach of discipline in respect of absence from his office or from his official duties he may without delivery to him of a formal charge or any other proceedings prescribed in this Act,

- (a) be removed from office by way of dismissal or other termination of appointment if his absence from his office or official duties exceeds 20 consecutive working days; or
- (b) have his salary stopped for the period of his absence from his official duties or his office.

Re-engagement

54. No teacher who has been dismissed under the provisions of this Act shall be re-engaged into the Lesotho Teaching Service without the approval of the Minister.

Part VIII - Retirement of teachers

Retirement of teachers on permanent and pensionable terms

55. (1) Subject to the provisions of this section and the Teachers' Pensions Act 1994, a teacher shall retire from the Lesotho Teaching Service, and shall be so retired, on attaining the age of sixty-five years.

(2) A teacher may, on or at any time after attaining the age of fifty-five years subject to three months' notice being given to him be required to retire.

(3) Subject to subsection (2), a teacher may at any time before or after attaining the age of fifty-five years give written notification to the appointing authority, of his wish to be retired from the Lesotho Teaching Service, and if he gives the notification he shall,

- (a) if the notification is given at least six calendar months prior to the date on which he attains the said age, be so retired on attaining that age; or
- (b) if the notification is not given at least six calendar months prior to the date on which he attains the said age, be retired at the end of six months from the date on which the notification is received.

(4) If, in the opinion of the appointing authority it is in the public interest to retain a teacher in his post beyond the age of sixty-five years, that teacher may, if he is willing, be so retained by the appointing authority for such period as the appointing authority may determine.

Retirement on medical grounds

56. The appointing authority may require a teacher to retire if the teacher is certified in writing by the Medical Board appointed by the Principal Secretary responsible for health to be suffering from an illness which prevents him from performing his duties efficiently and the illness is likely to be permanent.

Part IX - Teaching Service Commission

Teaching Service Commission

57. (1) The Minister shall appoint four members of the

Commission, two of whom shall be nominated by heads of churches.

(2) The Minister shall designate one member (other than the member nominated by heads of churches) to be the Chairman and one of the members nominated by the heads of churches of Lesotho to be the Vice-chairman.

(3) If the office of Chairman of the Commission is vacant or if the person holding that office is for any reason unable to perform the functions of his office, then, until a person has been appointed to and has assumed the functions of that office or until a person holding that office has resumed those functions, as the case may be, those functions shall be performed by a member of the Commission designated in that behalf by the Minister.

Secretary to the Commission

58. (1) The Chief Administrative Officer of the Lesotho Teaching Service shall be the Secretary of the Commission.

(2) The Secretary shall take minutes of the meetings of the Commission and keep its records.

Functions of the Commission

59. The functions of the Commission are to appoint, promote,, demote, discipline, transfer and remove from office teachers whose salaries are paid by the Government.

Meetings of the Commission

60. (1) The Commission shall meet at such time and place as it deems expedient for the transaction of its business.

(2) The Chairman shall preside at every meeting of the Commission and, in his absence, the Vice-Chairman shall preside.

(3) At every meeting of the Commission two members shall form a quorum.

(4) The Commission may determine its own procedure at its meetings.

(5) The person presiding shall, in addition to his deliberative vote as a member of the Commission, have a casting vote.

(6) The Commission may, subject to its rules of procedure, act notwithstanding any vacancy in its membership or the absence of any member and its proceedings shall not be invalidated by the presence or participation of any person not entitled to be present at or to participate in those proceedings.

Report of the Commission

61. (1) The Commission shall, as soon as practicable after the 31st day of December of each year, prepare a report on matters that have been dealt with by it during the preceding year, and also from time to time, prepare such special reports as are required by the Minister or seem desirable to the Commission.

(2) A report prepared by the Commission pursuant to subsection (1) shall be submitted to the Minister.

Tenure of office

62. (1) A member of the Commission holds office for a period of five years and is eligible for re-appointment or re-nomination.

(2) Subject to this section, the office of a member of the Commission shall become vacant,

- (a) at the expiration of five years from the date of his appointment or nomination;
- (b) if he resigns his office by notice in writing addressed to the Minister;
- (c) if he becomes a public officer;
- (d) if he becomes a member of either House of Parliament or a member of a local authority;
- (e) if he takes an active part in politics or in political activities;
- (f) if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such.

(3) A member of the Commission may be removed from office by the Minister for inability to discharge the functions of his office, whether arising from illness or any other cause, or for misbehaviour or in the public interest.

(4) Where a member is absent or otherwise unable to perform his duties the Minister may appoint a person to act in that position for that period.

Enforcement of attendance

63. (1) The Commission may require any person to attend or give evidence before it concerning any matter which it may properly consider in the performance of its functions and may

require the production by a person in attendance of any documents relating to any such matter.

(2) Any person,

- (a) other than a person who is notified to appear before the Commission solely in connection with his application for appointment as a teacher, who, without reasonable cause, fails to appear before the Commission when required to do so; or
- (b) who wilfully fails to produce any document in his possession when required to do so by the Commission under this section,

commits an offence and is liable on conviction to a fine not exceeding M2,000.

(3) Any person attending before the Commission at the request of the Commission, other than a person who is applying for appointment as a teacher, shall be entitled to be paid by the Commission the same allowance as a witness who appears before the High Court in criminal proceedings.

Improper influence etc.

64. (1) Any person who otherwise than in the course of his duty, directly or indirectly influences or attempts to influence any decision of the Commission commits an offence and is liable on conviction to a fine not exceeding M2,000 or to imprisonment for a period not exceeding 2 years, or both, but nothing in this subsection shall be deemed to make unlawful the giving of

reference or testimonial to any applicant or candidate for any teaching position or the supplying of any information or assistance requested by the Commission.

(2) Any person who, in connection with the performance by the Commission of its functions, wilfully gives to the Commission any information which he knows to be false, or does not believe to be true, or which he knows to be false by reason of omission of any material particular commits an offence and is liable on conviction to a fine not exceeding M2,000 or to imprisonment for a period not exceeding 2 years or to both.

Privileges of members

65. A member of the Commission has in the performance of his duty as a member, the same protection and immunity as a judge of the High Court of Lesotho.

Privileges of communications

66. No person shall, in any legal proceedings, be permitted or compelled to produce or disclose any communication, written or oral, which has taken place between,

- (a) the Commission or any member or officer thereof and the Minister, the Public Service Commission, the Judicial Service Commission, or any member or officer thereof or a public officer;
- (b) any member or officer of the Commission and the Chairman of the Commission; or
- (c) members or officers of the Commission in the performance of, or in connection with the performance of the functions of the Commission,

unless the Minister consents in writing to such production or disclosure.

Divulgence of information

67. (1) A member or officer of the Commission and any other person who, without the written permission of the Minister, knowingly publishes or disclose to any person, otherwise than in the performance of his official functions the contents of any document, communication or information whatsoever which has come to his notice in the course of his duties in relation to the Commission commits an offence and is liable on conviction to a fine not exceeding M2,000 or to imprisonment for a period not exceeding 2 years or both.

(2) Any person who knows of any information which to his knowledge has been disclosed in contravention of subsection (1) who publishes or communicates it to any other person otherwise than for the purpose of any prosecution under this Act or in the course of his official duty commits an offence and is liable on conviction to a fine not exceeding M2,000 or to imprisonment for a period not exceeding 2 years or to both.

Consent to prosecution

68. A prosecution in respect of an offence under section 64 or 67 shall not be instituted except with the consent of the Director of Public Prosecutions.

Remuneration and allowances of members

69. (1) The members of the Commission shall be paid such remuneration and allowances as the Minister may, after consultation with the Minister responsible for finance, determine.

(2) In addition to their salaries and allowances there shall be paid to the members of the Commission such gratuities

and allowances and there shall be granted to them such privileges in respect of leave of absence, transportation, passage and official quarters, as would have been paid or granted to them had they been public officers.

Part X - Adjudicator

Appointment of Adjudicator

70. (1) The Minister shall appoint an Adjudicator who shall be a person having legal experience.

(2) The Adjudicator shall hold office for a period not exceeding five years.

(3) The Adjudicator may be removed from office for misbehaviour or for inability to exercise the functions of his office whether arising from infirmity of body or mind or any other cause.

Functions of Adjudicator

71. The functions of the Adjudicator are to hear and decide on cases referred to him for advice by the Commission.

Part XI - Joint Reference Committee

Establishment of the Joint Reference Committee

72. (1) There is established a Joint Reference Committee which shall consist of,

- (a) the Chief Administrative Officer of the Lesotho Teaching Service who shall be the Chairman;

- (b) the Chief Education Officer (Secondary) who shall be Vice-Chairman;
- (c) The Dean of the Faculty of Education of the National University of Lesotho;
- (d) the Director of the National Teacher Training College;
- (e) three educational secretaries qualified to be members of a committee in accordance with section 22 of this Act, appointed by the Minister;
- (f) three representatives of teachers nominated by a designated teachers' association;
- (g) one supervisor nominated by the Minister;
- (h) the Director of Technical and Vocational Education and Training;
- (i) Chief Education Officer (Primary); and
- (j) Chief Education Officer (Tertiary).

(2) The Director of the Teaching Service Department shall be the Secretary of the Joint Reference Committee.

Meetings of the Joint Reference Committee

73. (1) The Joint Reference Committee shall meet at least twice a year.

(2) Every meeting of the Joint Reference Committee shall be presided over by the Chairman or, in his absence, the Vice-chairman.

(3) The decision of the Joint Reference Committee shall be that of the majority of members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote in addition to his deliberative vote.

(4) The quorum of the Joint Reference Committee shall be the Chairman or Vice-Chairman and at least six other members provided that no more than four of those members are members referred to in paragraphs (1)(e) and (f) of section 72.

(5) The Joint Reference Committee may regulate its own procedure at its meetings.

(6) Expenses incurred by members of the Joint Reference Committee in respect of travelling, meals and night rest on official duty shall be borne by the Ministry responsible for education.

Functions of the Joint Reference Committee

74. The functions of the Joint Reference Committee are to consider and make recommendations to the Minister through the Principal Secretary on,

- (a) terms and conditions of service and methods of ensuring improvements in general working conditions, productivity, and staff relations within the Lesotho Teaching Service;
- (b) professional standards, conduct and discipline within the Lesotho Teaching Service;

- (c) furtherance of good relations between Government, teachers and school proprietors;
- (d) improvement of career structure for the Lesotho Teaching Service and criteria and procedure for promotion;
- (e) questions relating to certificates;
- (f) matters relating to salary scales and salary levels; and
- (g) criteria for registration with the Lesotho Teaching Service;

Part XII - Miscellaneous

Representation of teachers

75. (1) The Minister may designate a professional teachers' association which may submit nominees to represent it on committees established under this Act.

(2) The teachers' association designated under subsection (1) shall be designated for a period of five years and shall be eligible for re-designation.

Regulations

76. The Minister may make regulations for carrying into effect the principles and provisions of this Act; and in particular but without prejudice to the generality of the foregoing, such regulations may,

- (a) prescribe the terms and conditions of service of teachers;

- (b) prescribe anything which is to be prescribed under this Act;
- (c) define roles of proprietors and the Government;
- (d) prescribe the forms to be used in carrying out the provisions of this Act.

Consequential amendment

77. Section 8 of the Teachers' Pensions Act 1994¹ is amended by deleting "Minister" wherever it occurs and substituting "the Teaching Service Commission."

Validation of appointments of teachers

78. (1) The Education Order 1992 is repealed.

(2) Notwithstanding subsection (1), all subsidiary legislation made under the repealed enactments shall be deemed to have been made under this Act and shall continue in force, so far as the same may be rendered applicable by this Act, until revoked by regulations made under this Act.

(3) Subject to section 41 all appointments made under the enactment repealed by this Act and subsisting at the date of the commencement of this Act shall be deemed to have been made under this Act.

(4) Any classification and registration of a school, appointment of teachers and other acts lawfully done under the provisions of the enactments repealed by section (1) in force immediately before the coming into force of this Act, shall be deemed to have been made under the provisions of this Act and shall continue to have effect accordingly.

(5) Any matter or proceedings pending in any court of law shall continue to be heard and determined notwithstanding the repeal of the above enactment.

NOTE

1. Act No. 4 of 1994