

Appointment, Service Conditions and Duties of the Teachers In CBSE Affiliated Schools

1. Qualification of the Teacher:

- a. Sec. 23 of RTE Act 2009 provides that any person possessing such minimum qualification, as laid down by an Academic Authority, authorized by the Central Government, by notification, shall be eligible for appointment as a teacher. The Central Government vide notification dated 21st March 2010 declared National Council for Teacher Education (NCTE) as the Academic Authority under sec. 23 of RTE Act 2009 read with rule 17 of RTE Rules 2010.
- b. The NCTE vide notification dated 23rd August 2010 (**Appendix-1**) read with notification dated 29th July 2011 (**Appendix-2**) prescribed the minimum qualification for a person to be eligible for appointment as a teacher in classes I to VIII in a school as amended from time to time. Further, NCTE (Determination of Minimum Qualifications for Recruitment of Teachers in Schools) regulation 2014 (**Appendix-3**) read with rule 53 of Affiliation Bye-Laws prescribes minimum qualification for teachers upto class XII.
- c. The Academic Authority i.e. NCTE under RTE Act 2009 also prescribes passing of Teacher Eligibility Test (TET) as essential qualification to be eligible for appointment as teacher of classes I to VIII.

2. Appointment of the Teachers:

- a. The school shall ensure that all appointments be in accordance to rule 25 of Affiliation Bye-Laws and/or procedure prescribed in respective State/U.T. Act.
- b. The school shall ensure that the vacancy of a teacher shall not exceed 10% of the total sanctioned strength of the teachers as required under sec. 28 of RTE Act 2009.

3. Duties of the Teachers:

- a. The school shall ensure that teachers are given specific academic duties as provided under sec. 24 (1) of RTE Act 2009, read with rule 21 (2) of RTE Rules 2010.
- b. Sec. 27 of RTE Act 2009 emphasizes that teachers should be free from deployment to non-educational assignments and enable teachers to spend more time on school and classroom related activities. This statutory provision has been reiterated vide M/o Human Resources Development, Govt. of India letter no. F-1-3/2010-EE4 dated 13th September 2010. The CBSE vide circular no. CBSE/Aff.04/Circular/2016 dated 28th October 2016 advised that the teachers may not be deployed for non-academic activities.
- c. No teacher shall engage in private tuition or private teaching activities as per sec. 28 of RTE Act 2009 and rule 39 of Affiliation Bye-Laws.
- d. As per Rule 10.5 and 32 of Affiliation Bye-Laws of the Board, normally a teacher should be engaged as a whole time employee in the school except in special cases wherein the work load does not justify a whole time teacher due to its unique nature. No teacher, teaching secondary and/or senior secondary classes, shall be required to teach more than $\frac{3}{4}$ th of the total periods in a week. However, in case of schools offering the vocational courses, the school can engage subject expert/teacher on contract/part-time and share the resources with reputed/recognized institutions having expertise in such vocational courses.

4. Salary and Conditions of Service of the Teacher:

- a. The scale of pay and allowances of teachers in the school shall be at par with the similar qualification, work and experience as provided under sec. 23 (3) of RTE Act 2009 read with rule 20 (3) of RTE Rules 2010 and in accordance with rule 3.3 (i) (v) of Affiliation Bye-Laws. The salary and other allowances to the teachers shall be transferred through ECS on the last working day of the month.

- b. In accordance with the provisions of rule 20 (2) of RTE Rules 2010 read with Chapter VII of Affiliation Bye-Laws, the school shall define and publish the terms and conditions of service of the teachers to create a professional cadre of teachers to impart quality education and ensure the learning outcomes to the students.
- c. The school shall ensure timely promotion after completion of residency period and benefit of Modified Assured Career Progression (MACP) to its teachers at par with teachers working in the similar grade in Central/State Government schools.
- d. The school shall prescribe transparent and objective Annual performance Appraisal system on the lines similar to APAR in respect of teachers under Central/State Government, which shall be the basis for promotion and/or MACP.
- e. The school shall enter into a 'contract of service' with the teacher in accordance to Appendix III of Affiliation Bye-Laws or in the form prescribed by the State/U.T. Government, as the case may be.
- f. The school shall give due recognition to the academic responsibilities of the teachers and involve them in the educational activities in a dignified manner.
- g. The school shall not retain the original degree/diploma certificates of the teachers after their appointment. Copies of degree/diploma certificates duly certified by the Head of School shall be placed in the personal file of the teacher in lieu of the original documents.

5. Retirement:

Every teacher including the Head of the School shall superannuate from the service on attaining the age of 60 years as per rule 30.1 of Affiliation Bye-Laws. However, National Teacher awardees may be considered for further extension of service upto two years after attaining the age of superannuation subject to meritorious service, impeccable character, sound health, good leadership, management qualities and outstanding results throughout with the prior approval of the CBSE as stipulated in the circular no. CBSE/Aff./Circular/5/2016 dated 20th December 2016.

6. Redressal of Grievance:

The school shall establish the internal 'Grievance Redressal Mechanism' for the teachers as mandated under sec. 24 (3) of RTE Act 2009.

7. Professional Development of the Teachers:

- a. The school shall provide training facility for the teachers on similar lines as mandated under sections 8 (i) and 9 (j) of RTE Act 2009 regarding Appropriate Government and Local Authority respectively. Under rule 3.3 (i) (vi) of Affiliation Bye-Laws, the school shall organize at least one-week training programme for the teachers in association with the Centers of Excellence (CoEs) established by the CBSE or any Teacher's Training Institute recognized by the Central/State Government.
- b. The school shall ensure that the school library has appropriate books/periodicals useful for teachers and designate a dedicated area for them in the library to enrich their subject knowledge.

8. Sexual Harassment Committee:

The school shall constitute an 'Internal Complaints Committee' and take appropriate action as per the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

9. Other Facilities for the Teachers:

The School shall ensure adequate provision for staff rooms, crèche facility, canteen facility and separate rest-rooms for the teachers.



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