

# LAWS FOR PRIVATE SCHOOLS.

## FIRST SECTION.

### General Rules.

**Art. 1.** Institutions opened and their expenses guaranteed by individuals, or companies or Societies or Ottoman Communities recognized by the Government, are considered private schools.

School rooms opened in the same way, for the purpose of teaching one or more sciences, languages and industries, are also considered private schools.

**Art. 2.** It is forbidden to foreign communities and societies and companies to open schools directly or by means of others.

**Art. 3.** Schools to be opened by Ottoman communities recognized by the Government should be within the villages or quarters inhabited by the members of that community and also their area and style of construction should not be in excess of their needs and they should be far enough distant so that their noise would not be heard from the places of worship of other communities and other schools.

**Art. 4.** In order that individual foreign subjects should be able to open schools there should be enough individuals of that nationality living in the place where they would open the school to show the necessity for such a school, and also provided that in the countries of such governments the custom of giving permission to Ottoman subjects to open schools shall prevail, and that the school buildings shall be subject to the conditions stated in Article 3.

**Art. 5.** With the exception of Kindergartens no boarding schools shall be opened in which males and females are mingled. In places where girls' schools of the same grade do not exist, coeducational boarding schools may be opened on condition of not receiving girls whose national customs are adverse to such mingling.

**Art. 6.** In private schools where instruction is given in a language other than the official language (of the country), the teaching of the Turkish language, Ottoman History and Geography is obligatory.

Turkish shall be taught not less than four hours a week for preparatory classes and not less than two hours a week for college classes.

Turkish History and Geography may be taught in the language of the school.

**Art. 7.** Every school should have a director, and when he is one of the individuals who open the school, if he is possessed of the legal qualifications, he may assume the directorship.

**Art. 8.** In private schools opened by Ottoman individuals or communities or societies or companies, no foreign director or directress, and no male or female teacher or assistants, can be appointed without the permission of the Minister of Public Instruction.



**Art. 9.** School buildings should possess the necessary solidity and sanitary conditions and they should be at least 100 arshins distant from places that can injure the character or health of the students.

**Art. 10.** Private schools are subject to the inspection and supervision of the highest civil authorities and Inspectors of Public Instruction and Health Inspectors, and the schools of primary grade are also subject to the inspection and supervision of the officials designated in the Primary Education Law.

## SECTION II.

### Regulations for opening and establishing schools.

**Art. 11.** For the establishment of private schools a previous permit must be obtained. To this end the founders must present petitions:—

If the founder is an Ottoman the petition is given by him; or if it is an Ottoman society or community or company, it is presented by the head of the community or the responsible director of the society or company, to the vali or to the mütesarrif of unattached districts.

If the founder is a foreigner, the petition is presented directly to the Ministry of Public Instruction.

In these petitions should be stated:—

1. The name of the founder, his titles, qualifications, place of residence, if a foreigner, his citizenship.
2. The grade of the school.
3. The exact place where the school is going to be opened.
4. In what way the current expenditure shall be guaranteed.
5. Whether it is to be a girls' or a boys' school.
6. Whether it is to be a boarding or a day school.

To this petition the following documents must be attached: A certified copy of the identification paper (teskéré-i-Osmanié) of the founder. If a foreigner, a copy of his papers showing his citizenship, certified by his consulate, and certificates of good character.

This petition with the attached documents shall be investigated by the Administration of Public Instruction and the Administrative Council. If found suitable, the permit after being drawn up and sealed by the Administration of Public Instruction is certified by the Vali or the Mütesarrif of unattached districts, and presented to the founder.

For schools whose founders are foreigners, the petitions can be rejected by the Ministry without its being obliged to give reasons for refusal. After having received the desired information concerning the petitions considered acceptable by local officials, if found acceptable, orders will be sent from the ministry to these localities so that the necessary administrative action may be taken concerning the petitions.

**Art. 12.** The founder after having received his permit should present a notification to the vilayet or the mütesarrifat of unattached districts, stating whether he in person is going to assume the directorship or not. If not, he should designate the person who is to be appointed responsible director, also the building in which the school is to be opened, and ask a permit to open the school and start instruction.

To this notification the following documents should be attached:—

1. Architect's and doctor's reports showing that the building to be used for the school is suitable for the purpose and is in accordance with hygienic principles, the number of students that it can hold, and that it has the necessary solidity.
2. A register containing the name, title, place of residence, place of graduation of the



responsible director and those appointed as teachers, and certified copies of their diplomas or licenses showing the grade of learning attained, and papers from the places where they live or from the last administration where they have been employed, certifying good character. If of foreign citizenship, besides the documents stated, certified papers from their consulate stating their citizenship.

3. Internal regulations of the school and the program of studies signed by the director.
4. In schools where the instruction is carried on in the official language of the country, a list of books used should be given together with the name of the author and place of publication. The list to be signed by the director. In schools of "higher education" grade (University grade) or in secondary schools, the lessons given in lecture form should be included in this list.
5. In schools where the language of instruction is other than the official language a list of books with the names of the authors and a copy of each book, should be presented.

After due investigation by the Administration of Public Instruction and the local government concerning each of the above stated conditions, if found suitable the original registration is made and the following statement is written on the permit previously made out to the name of the founder.

"Hereby permission is given to . . . . ., the responsible director, to start instruction in the building No . . . . . situated . . . . . on the . . . . . (Date) "

This is sealed and certified as before.

For schools where the responsible director is a foreigner, the investigations made by the local authorities interested, together with papers stating the local opinions, should be sent to the Ministry of Public Instruction, and upon the receipt of an answer, the necessary action should be taken toward giving the permit.

**Art. 13.** If the school is not opened for two years from the date of the reception of the permit for instruction, without sufficient reason, or after opening is closed for two years consecutively, the permit is taken back and considered null.

**Art. 14.** One person can be the founder of several institutions, but one person cannot be the responsible director of more than one school.

**Art. 15.** For schools opened by Ottoman communities, societies or companies, the corporations are considered as the founders. They are to show a responsible director for each school, and the permit will be drawn up and given in the name of this responsible director.

**Art. 16.** The Directors of school rooms for workmen, apprentices, those who have passed the age limit for schooling, and those who have to learn copying by machines, in short schools for getting instruction of this kind (mentioned in Article 1) and in which the period of instruction does not exceed two years, are not obliged to fulfill the conditions of notification and petitioning as stated in Articles 11 & 12.

It would be sufficient that the petition presented contain the name of the director, his title, his qualifications, place of residence, if a foreigner his citizenship, and the exact locality (village and quarter) in which the school room is to be opened, and the nature of instruction, a certified copy of the *teskéré* of the founder, if a foreigner a copy of his identification paper showing his citizenship, certified by the consulate, and also a document certifying his good character; a list giving the names, titles, place of residence and place of graduation of the teachers together with a certified copy of their diplomas or licenses, a document certifying good character from the quarter in which they live and if a foreigner besides the above documents a certificate of citizenship from the consulate of the district.

The investigation and verification which is to be made by the local government and the Administration of Public Instruction should be based on these documents and a permit granted.



**Art. 17.** In order to get a permit to open a private normal school for men or for women, it should be convincingly proved to the Ministry of Public Instruction that a teaching corps exists capable of teaching, besides practical applications of teaching, pedagogy, Turkish Language and Literature, history, geography, mathematics.

**Art. 18.** The course of instruction, general organization and administration, buildings, equipment, and the fees to be taken from the students of men's or women's normal schools must be investigated and ratified by the Ministry of Public Instruction.

**Art. 19.** It is necessary that teachers of normal schools for men and women should have a University education. A detailed account must be given concerning the qualifications of the newly appointed directors or teachers.

**Art. 20.** In case the grade of the school is changed, or the right of foundership is transferred to another person or the director is changed, it is necessary that the registration be corrected and a new permit be given. If the name of the school is changed or the school is transferred to another building, or the teachers or course of instruction or the text books are changed; if a day school is changed to a boarding school or vice versa; or if a boys' school is changed to a girls' school or vice versa, or new departments are added, the old registration should be corrected and the new changes added in brief in the proper place on the permit. In all these cases the founders or directors of the schools are obliged to apply, with a petition, to the Vali or to the Mutesarrif of unattached districts. Upon this application the necessary action is taken by the public instruction Administration after due investigation and verification. Before taking any action concerning the affairs of schools that have foreign founders, whether a new permit is required or no change of permit is required, the additional investigation by the Ministry of Public Instruction being necessary, in both considerations stated, the different documents in hand, with an explanatory note, should be sent to the said Ministry.

**Art. 21.** The founders who have lost their permit should first of all announce it in the newspapers and then apply with a petition to which should be attached the notice in the papers. The Public Instruction bureaus, satisfying themselves after investigation that no changes have been made in the original conditions or if changes have been made, after completing the necessary official action in regard to the change, should make a new copy for the petitioner from the original record in their possession, adding on it the facts about the loss and certifying that it conforms with the original record, and seal it.

### SECTION III.

#### School Buildings.

**Art. 22.** For building a new private school or for the enlargement of an existing school, the founder or the responsible director should apply with a petition to the Vali or to the Mutesarrif of unattached districts. In this petition should be written :

1. The date and number of the permit originally granted for the founding and opening of the school.
2. The ownership, place and kind of land, the grounds on which the buildings are to be placed.
3. The way in which the expenses shall be guaranteed.

And the following documents should be attached :

1. A certified copy of the above mentioned permit.
2. The plans and projects for the buildings and grounds.



3. An "Ilm-u-haber" stating whether the grounds are vakuf or if they are state land what the mukataa or Eushür is.

**Art. 23.** The Public Instruction Administration and the administrative councils to which these petitions have been presented, after having investigated according to the established regulations the petition presented and the attached documents, if the result is considered satisfactory, shall communicate the affair together with their observations by a mazbata to the Ministry.

If the Ministry of Public Instruction, after investigating according to the regulations, finds it satisfactory, it presents the petition to the Sublime Porte to obtain its Imperial Iradé.

## SECTION IV.

### Qualifications for the members of the administration and teaching corps.

**Art. 24.** It is necessary that those who are to open private schools should be of good character and that they should not have been condemned for any crime or any offense against morality.

**Art. 25.** Directors and Directresses of private schools and male and female teachers and their assistant teachers of preparatory classes must have received a secondary education.

**Art. 26.** Male and female teachers and their assistants of the College and University classes must have received a University education. The grade of education which these teachers possess is to be verified by their diplomas or by a teacher's license given after examination.

For those of foreign citizenship, it is necessary that they should present diplomas or teacher's licenses certified by the Ottoman Consulate.

For those who are to teach in schools opened by communities, teacher's licenses given by the religious heads of these communities and certified by the Department of Public Instruction shall be considered sufficient.

In the case of lessons such as the Koran, Bookkeeping, Penmanship, Gymnastics, Languages and Music and others which require specialization, those who have received degrees or those who have shown themselves qualified by examination to teach these subjects may be appointed professors and assistants, male or female, without any regard for the grade of their education.

**Art. 27.** In Schools confined to studies of Commerce, Agriculture or Industry, the male and female teachers and their assistants, besides the conditions stated in the previous article, must have diplomas in the subjects they are to teach, or they must prove their qualifications by examination.

**Art. 28.** Members of the Administration or teaching corps, or the employees of the private schools, should be free from any epileptic or contagious disease, stuttering, and deafness.

## SECTION V.

### Conditions for Registration of Students. Examinations — Diplomas — Certificates.

**Art. 29.** The ages of children in Kindergartens must be between 3 & 7, and in children's classes 4 & 7, and for the first class in the Primary School those who have finished their



sixth year up to ten years. Those students may be received into the first class of the secondary schools who have finished their 12th year and up to 16 years.

**Art. 30.** Students who apply to enter schools with a diploma or a certificate are accepted without examination according to the grade specified in their diploma or certificate. Those who do not present any diploma or certificate are accepted in the grade for which they qualify by examination.

These examinations are given by a committee composed of at least three teachers under the presidency of the Director and before this, notice is given to the Public Instruction Administration. If found necessary, inspectors and examiners are sent by the Public Instruction Administration. The periods for examination of students of the classes, which are subject to the shortened term of military service, cannot be later than the first third of the school year. After this period is passed students can be received into these classes only by promotion in the regular order.

**Art. 31.** The Directors of Schools should present a list of examinations with the exact date and the hours and the conditions to the Department of Public Instruction, or, in places where there is no Department of Public Instruction, to the highest civil authority, at least 15 days before the specified time.

The local Government and the Department of Public Instruction may send inspectors and examiners to these examinations. If these inspectors and examiners do not present themselves at the appointed hour and day the examining body of the school may proceed with the examination. But the graduates of private schools of university grade who do not take their examinations at an official school of the same grade cannot enter any public office or practice in the Empire, and their diplomas will not be certified.

**Art. 32.** Two lists containing the results of the examinations for graduation should be prepared and presented to the local Department of Public Instruction and in places where there are no authorities of Public Instruction, to the highest civil authority, and from them they are sent to the Director of Public Instruction.

The Directorate of Public Instruction within 15 days from the date of reception is to certify one copy and send it to the Administration of the School, keeping the other copy for its own files.

**Art. 33.** Directors of schools should present every year lists of teachers and students who are subject to the shortened term of military service, not later than the first third of the school year to the Administration of Public Instruction or to the highest civil authority. The teachers or students who receive documents from the school administration with the idea of entering the shortened military service, and those whose names do not appear on the list given, will not have their *vessikas* certified by the Administration of Public Instruction or the civil authorities. The *vessikas* of teachers appointed or students transferred from another school after the presentation of the list will be certified only on the condition that their previous position, and work and place of instruction is stated.

**Art. 34.** The Diplomas, Certificates and Degrees given by private schools should be certified by the Department of Public Instruction; otherwise they do not possess any official standing.

In private schools where instruction is carried on in a language other than the official language the diplomas and certificates given should be written either in two columns, in the first column the official language, in the second column the language of instruction, or they may be written on two pages, the first Turkish and the other the language of the school; and the whole should be signed and sealed.



## SECTION VI.

### Inspection.

**Art. 35.** All private schools are inspected as to whether the school has a permit or not, whether the teachers have diplomas or licenses, whether the instruction is in conformity with the program and text books presented to the Public Instruction Administration, whether a register is kept, whether there are vaccination certificates, whether hygienic principles are followed in the school rooms, dormitories, dining room and other parts of the school, whether anything is taught or imparted that would create misunderstanding and ill feeling between nationalities or would be contrary to public morality or to customs or religions.

**Art. 36.** Those who have been appointed as inspectors can enter schools any time. Besides informing the director of the school of the defects they have seen, according to their degree, they also present their report, according to the regulations, as to the result of their inspection, to the proper authorities.

## SECTION VII.

### Punishments.

**Art. 37.** To encourage or force a student to take part in the instruction or the service of a religion or denomination other than the religion or denomination to which he belongs, or to prevent the student from attendance on school because of non-participation, to allow a willing participation on the part of the student, is not permitted.

**Art. 38.** The Directors of schools who give false certificates and diplomas and those who knowingly use such false diplomas and certificates shall be punished according to the 155th Article of the Penal Code.

**Art. 39.** In the case of Directors and teachers of schools who do not conform to, or who transgress the conditions of these regulations and the official communications, besides the punishments to be given in accordance with the regulations of the Ministry of Public Instruction and the Imperial Penal Code, disciplinary punishments will be arranged and executed by the Department of Public Instruction, or, in places where there is no Department of Public Instruction by the highest local civil authority in the following ways:

1. Written Warning.
2. Written Reprimand.

Those who persist in their acts and doings after the application of the above stated punishments or those who act in a way that brings two reprimands in one year will be dismissed from their service.

## SECTION VIII.

### Various Articles.

**Art. 40.** To the application of the disciplinary punishments specified in Art. 39 it is possible to make objection before the Administrative Councils within 15 days from the time of the announcement of them.

**Art. 41.** For non-conformance to regulations and communications, the closing of a



school by an administrative action is decided by the Vali or the Mütessarrif of unattached districts with the knowledge of the Mûdir of Public Instruction. This decision may be objected to within a week from the time of its announcement. The protest is presented to the Ministry of Public Instruction through the local government. The objections will be investigated by the Grand Council of Public Instruction. Only the regulations and proceedings concerning the closing of schools on account of contagious diseases is subject to special law.

**Art. 42.** In case administrative or judicial decision is taken to close a school, or a decision is taken by the Administration of the school itself to close, it is obligatory that the boarding students should be boarded as usual until they are delivered over to their guardians. In case of the closing of a school for contagious disease the treatment of the boarding students is subject to a special law.

**Art. 43.** In private schools a register should be kept showing the names of the students, their place and date of birth and place of residence, the nationality and denomination to which they belong, the date of last vaccination, the date of their registration in the school, the name, the title, the work and place of residence of their fathers or guardians; also another register should be prepared showing the names of the teachers, the officers of the school and its employees, with the date and place of their birth, their denomination and nationality, the kind of work they are doing at the school, and the place of graduation and the grade of education and number of hours of teaching of the teachers.

**Art. 44.** The Directors of Schools are obliged to furnish any kind of information and explanations concerning the private schools asked by the heads and officials of the Civil Government, and the Department of Public Instruction; also to fill in the statistical blanks within three months of the closing of the school year.

**Art. 45.** If Public Exercises be held for the distribution of Prizes and on other public occasions, the local authorities must be officially informed in writing three days beforehand; also a program in the official language as to how the exercises are to be conducted should be presented. Programs to be distributed on such occasions as shown in Article 34 should be in Turkish and in the language of instruction of the school.

## TEMPORARY ARTICLE.

**Art. 46.** Of the private schools opened by Ottomans, those that have not been legally authorized, should within at least three months from the date of the publication of these regulations apply for a permit in accordance with these regulations; and those opened by foreign individuals or societies or companies that have not acted in accordance with the regulations prepared and published after the abolition of the capitulations, are also obliged within the same space of time, to show a responsible director or directress, and get a permit or have their Firmans registered. Otherwise, in accordance with the 129th Article of the Public Instruction regulations and the prescriptions of the above regulations, their schools shall be closed.

Dated 22 Shewal 1333. 20 August 1331. (2 Sept. 1915.)

Published in *Takvim-i Vekâi*, 13 Eloul, 1331. (26 Sept. 1915.)