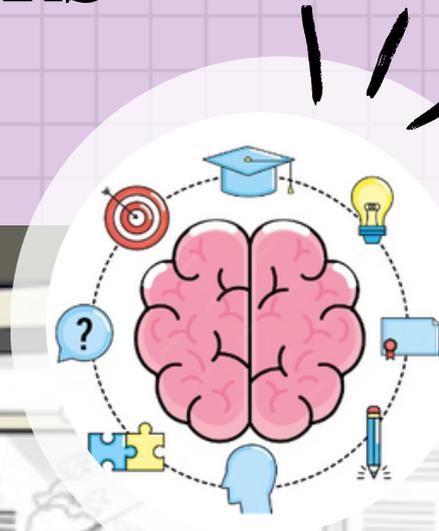


10 FAQ'S ON GUIDELINES FOR COACHING CENTERS



Wednesday Wisdom
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Introduction [1]:

Over the years, the coaching industry has emerged as an influential player offering specialized assistance to students aiming for academic success. However, with this support, it is often seen that coaching classes also exert pressure on students to excel academically.

Recently, the education ministry has introduced Guidelines for regulation of coaching centers (Guidelines). The Guidelines intend to align these institutions with the principles of the National Education Policy 2020 (NEP)[2].

It is now fairly visible that the "coaching culture" in India is under scrutiny and the government desires to control and regulate the unregulated private coaching centers via introduction of a legal framework outlining the permissible structure and addressing the challenges that are faced.

The circular dated 16 January, 2024[3] clearly specify that the subject guidelines are for consideration of States/Union Territories (UTs) to take it forward for an appropriate legal framework. It is asserted therein that Education being subject matter of concurrent list and +2 level education falling under the realm of State/UT governments, it will be best regulated by State/ UT's appropriate legal framework.

BACKGROUND

The Guidelines have been issued for better guidance and assistance to the students in any study programme, competitive examinations, or academic support. Many students have committed suicides in Kota recently due to extended pressure and this grim reality demands an urgent need for system reforms in the education sector. Some states have actively passed legislations for governing coaching centers in their states[4].

[1] The article reflects the general work of the author on the date of publication and the views expressed are personal. No reader should act on any statement contained herein without seeking detailed professional advice.

[2]Background point 9, Guidelines for regulation of coaching center

[3]https://www.education.gov.in/sites/upload_files/mhrd/files/Guideliens_Coaching_Centres_en_0.pdf

[4] Bihar Coaching Institute (Control & Regulation) Act, 2010, Goa Coaching Classes (Regulation) Act, 2001, Uttar Pradesh Regulation of Coaching Act, 2002, the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001, Manipur Coaching Institute (Control and Regulation) Act, 2017 and recently Rajasthan has introduced Rajasthan Coaching Institutes (Control and Regulation) Bill, 2023

Students Federation had also filed a PIL before Supreme Court of India in the matter of Students Federation of India Vs. Union of India[5] which was disposed of with an order in year 2017. The petition expressed grave concerns regarding education being highly commercialized in the absence of proper regulations. Though the issue was recognized by the Apex Court, the petition was disposed off with an order quoting “We are of view that the issue raised in the petition, though important, is basically a policy matter.”

In the backdrop of this situation, the Guidelines have been issued.

1. Which institutes will come under the purview of Coaching Centers?

The guidelines specifically limits the sphere of the term “Coaching Centers” by defining it as “Coaching” means, tuition, instructions or guidance in any branch of learning imparted to **more than 50 students** but does not include counselling, sports, dance, theatre and other creative activities; and on similar lines “coaching center” means a center established by any person to provide coaching for study programme or competitive exams or academic support to students at school, college, and university level, **for more than 50 students**. One key highlight from the guidelines is the **prohibition for coaching centers to admit students below the age of 16** or those who have not yet cleared **their secondary school examinations**.

2. What are the obligations with respect to registration of a Coaching Center?

A Coaching Center is required to apply for registration to the competent authority within whose local jurisdiction such coaching center is situated within a period of three months from the date of implementation of guidelines. It should be noted that:

- Each branch of the Coaching Center shall be treated as separate coaching center
- It is necessary to submit a separate application for registration of each branch.
- Grant or refusal of registration certificate should be received within 3 months of application for registration. However, no refusal order will be passed without giving the applicant a reasonable opportunity of hearing.
- Application for renewal to be made by registered coaching center 2 months prior to the expiry of registration.

3. How will the registration be effected?

Currently, the clarity on this issue is expected from the legislature. However, it is provided that appropriate Government shall create a web-portal/online mechanism to facilitate the registration of Coaching Center in faceless manner with minimum human interface.

[5]2017(1)SC T648(SC)

4. What are the compliances and prohibitions on the Coaching Centers?

Coaching center shall have a website with updated details of :

- a. The qualification of tutors, courses/curriculum.
- b. Duration of completion of course.
- c. Hostel facilities (if any).
- d. Details of fees being charged.
- e. Easy exit policy.
- f. Refund Policy.

Prohibited Activities for Coaching Centers with respect to registration.



Should **NOT** engage tutors having qualification less than graduation.



Should **NOT** hire the services of any tutor or person who has been convicted for any offence involving moral turpitude.



Should **NOT** make misleading promises or **NOT** publish or cause to be published or take part in the publication of any misleading advertisement



Should **NOT** enroll student below 16 years of age



Should **NOT** be registered, if it has less than minimum space requirement, i.e 1 sq. metre per student.



Should **NOT** be registered unless it has counselling system

5. What is the concept of Undertaking under registration?

Application for registration of coaching center shall be accompanied by an undertaking stating that:

only the word 'registered coaching center' to be used; and shall not use the words 'recognized' or 'approved' on any sign board or any prospectus.

On the website of coaching center and at a prominent place in center following should be displayed:

1. Information regarding the qualification of the tutors.
2. Timetable
3. Fee charged

Tutor /any person employed is not convicted of offence involving moral turpitude.

In case of change in tutor, it shall be intimated to competent authority.

abide by the condition regarding the specified number of students to be admitted in the coaching class.

Coaching classes not to be conducted during schools, college hours.



6. How is the aspect of fees addressed?

Guidelines lay down the below parameters with respect to the fees:

1. Fair and Reasonable fees

For various courses, the fees charged shall be fair and reasonable. Receipt of the same must be made available.

2. Prospectus

A prospectus conspicuously enumerating the fees for the course and refund policy.

3. No separate fees

No separate fees for the prospectus, notes or any other material.

4. Fees Refund

If the student has **paid for the course in full and is leaving the course in the middle** of the prescribed period, student will be refunded from out of the fees deposited earlier for the remaining period, on pro-rata basis within 10 days. If the student is staying in the hostel of the coaching center, then the hostel fees and mess fee etc. will also be refunded.

5. Escalation of fees

No escalation of fees

No course extension in terms of duration

Under no circumstance, the fee on basis of which enrolment of student was made be increased amidst the course, nor the duration of course be extended.

7. What are the pivotal and notable changes in curriculum and classes?

1. **Spaced out timetable:** Class timetable to allow the students to relax

2. **Weekly off:** weekly off for students as well as tutors

3. **No test/exam the next day after weekly off:** No assessment-test / exam on the day after weekly off.

4. **Time limit of coaching class in a day (per student):** Not more than 5 hours a day. Should not be scheduled too early in the morning nor too late in the evening.

5. **Customized leaves during important festivals:** Ensure customization of leaves for students during the important and popular festivals

6. **Holistic development of students :** Organizing counselling sessions for tutors, parents and students.

7. **Coaching center responsible for making students aware of their choices:** Ensure continuous efforts towards awareness among students about the educational environment, cultural living, realities, and clearly outlining the difference between preparation of school level examinations and competitive examination.

8. **Disclaimer of no guarantee of success:** *The students and parents shall be made aware that admission in the coaching center can in no way guarantee any success for the course applied by the student.*

9. **Test marks not to be disclosed/made public:** Coaching center shall not make public the result of assessment test conducted by it.

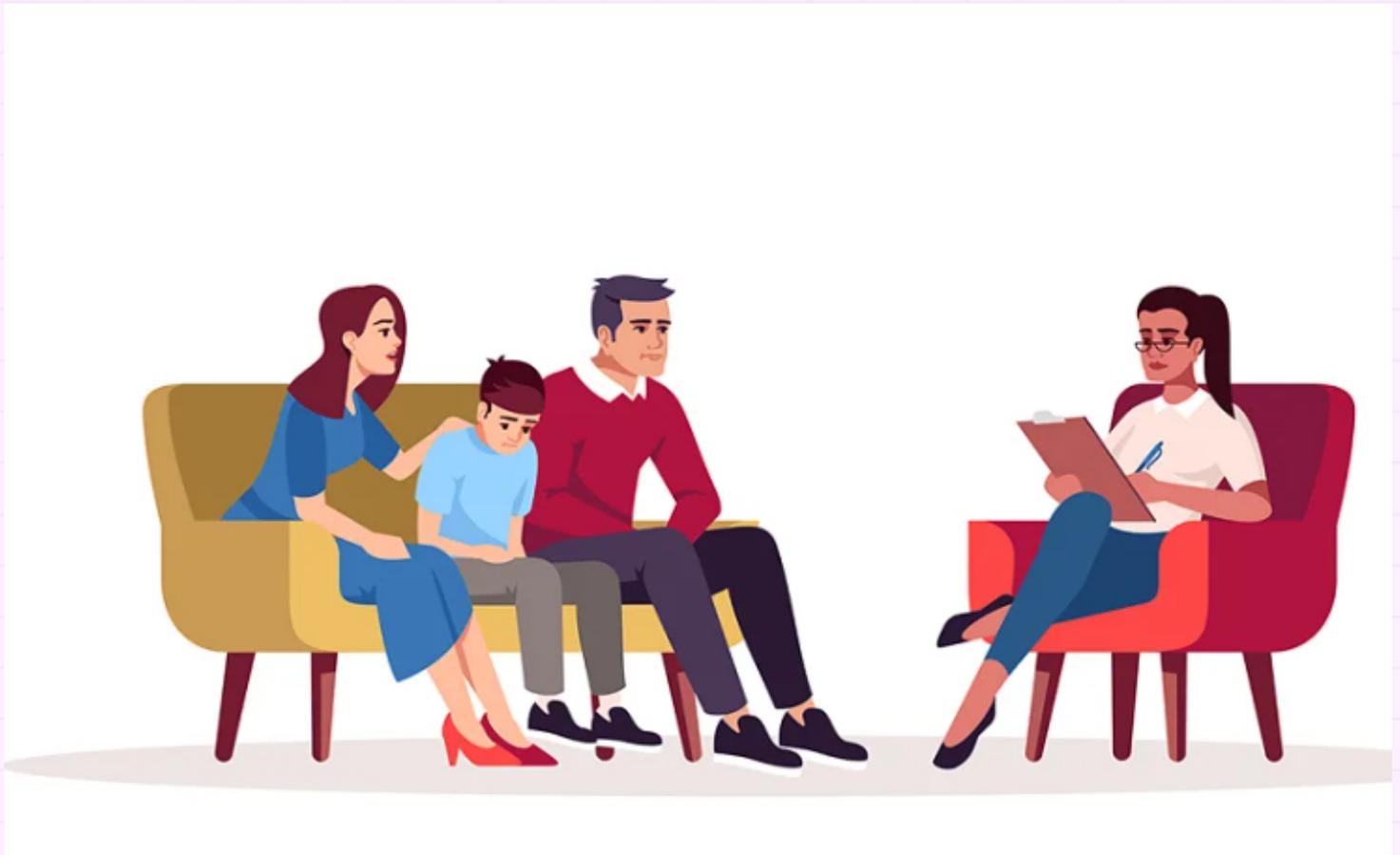
8. What is the grievance redressal mechanism?

The guidelines recommend setting up a complaint box or maintain a register for students to drop in or record their complaints, grievances, problems, affliction. A committee may also be set up by coaching centers in these lines to address and resolve these grievances and complaints.

9. Step forward to Counsellor and Psychologist intervention.

The guidelines have a progressive approach and are indeed a welcoming step towards student's mental health perspective. The provisions cater to the dire conditions of build up stress, guilt and fear accumulated amongst students who are essentially burdened with their parent's expectations and dreams.

The provisions not only deals with students but also their parents who sometimes are the primary cause of development of anxiety, guilt and stress emotions amongst students. Through these guidelines the Coaching centers are encouraged to involve counsellors and experienced psychologists to counsel and provide psychotherapeutic service to students for the resolution of mental stress and depression.



1. Psychologists and Counselors intervention

The environment in coaching centers is generally highly competitive and aggravated with academic pressure. So coaching centers are required to appoint trained counsellors in the coaching center to facilitate effective **guidance and counselling for students and parents.**

2. Career Counselling

Career counsellors may be onboarded to assess the student's interest, aptitude and capability, and accordingly **guide and counsel the students and their parents with realistic expectations to choose the best career option.**

3. Workshops and Awareness week

Regular workshops and awareness weeks may be arranged for parents, students and teachers on mental health and prevention of stress by the coaching center.

4. Mental training to tutors

Tutors may undergo training in mental health issues to convey information effectively and sensitively to students about their areas of improvement.

5. Doubt solving lectures to be conducted by same tutors who taught the topic.

The doubts of student shall be resolved by those tutors who have taught in the class so that students feel satisfied.

6. No division and segregation of students according to their academic results.

Batch segregation on basis of academic performance not to be done. Batch shall not be changed till the completion of study course.

7. No discrimination.

Adopt inclusivity. Respect and sensitivity towards disabled, divyang students.

10. How stringent are the penalties?

The penalty structure is threefold

For first offence: Rs. 25,000/-

For Second Offence: 1,00,000/-

For Further Offence : Revocation of registration

1. Conclusion :

In light of the distressing circumstances faced by students, including incidents of suicides linked to the pressures of unregulated private coaching centers, the issuance of comprehensive guidelines by the Ministry of Education marks a crucial and welcomed step forward. These guidelines serve to create an environment which supports academic learning, safe space, awareness and holistic development of students. Furthermore, these guidelines serve as a foundational document, setting a standard for all state legislatures to come up with their own legal frameworks in alignment with these national guidelines. Once these legal frameworks are in place at the state level, coaching centers will immediately fall under the jurisdiction of these regulations, ensuring uniformity and consistency in the operation of these coaching institutes.

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