Intermediate School (Grant Conditions) Amending Regulations, 1958.

REGULATIONS, DATED 28TH FEBRUARY, 1958, MADE BY THE MINISTRY OF EDUCATION, NORTHERN IRELAND, UNDER THE EDUCATION ACTS, (NORTHERN IRELAND), 1947 TO 1956, AND OTHER ENACTMENTS, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

1958. No. 30 [C]

These Regulations were revoked by S.R. & O. 1958, No. 100 and are not printed at length in this volume.

Intermediate School (Grant Conditions)

REGULATIONS, DATED 27TH JUNE, 1958, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND), 1947 TO 1956, AND OTHER ENACTMENTS, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

1958. No. 100 [C]

The Ministry of Education (hereinafter referred to as "the Ministry") in pursuance of the powers vested in it by Sections 104 and 112 of the Education Act (Northern Ireland), 1947, and of all other powers enabling it in that behalf, with the approval of the Ministry of Finance, hereby makes the following Regulations:

Introductory

1. In these Regulations unless the context otherwise requires—

"the Act" means the Education Act (Northern Ireland), 1947, as amended by any later enactment;

"approved" means approved by the Ministry, for the purposes to which the context relates;

"recognised" means recognised by the Ministry, for the purposes of these Regulations;

"school" means any recognised intermediate school including (except where otherwise stated) a technical intermediate school;

"school year" means the year beginning on 1st August and ending on 31st July;

"school authorities" means the local education authority in the case of a county school and the managers in the case of a voluntary school.

2. These Regulations prescribe the conditions which shall be satisfied by any intermediate school, that is to say, a secondary school providing free education for senior pupils, in order that grant may be payable in respect thereof under Section 104 of the Act,

General Conditions applicable to Intermediate Schools

3. In order to be recognised the school shall comply with the requirements imposed on the school by or under the Act.

4. Recognition of a new school, or the continued recognition of an existing school, will be dependent upon the maintenance of an average enrolment of at least 100 pupils:

Provided that the Ministry may recognise a new school, or continue the recognition of an existing school, in any case where it is satisfied that the failure to comply with this requirement is due to special or exceptional circumstances.

5. The school shall be kept on a satisfactory level of efficiency and shall be open to inspection by officers of the Ministry.

Management of Schools

6. A copy of the approved scheme of management for any school shall be deposited with the Ministry, and no variation or departure from the provisions of the scheme shall be made without the sanction of the Ministry.

Curriculum, Time-table, Attendance of Pupils and Size of Classes

7.—(1) The instruction to be given in the school shall be determined with due regard to the ages, abilities and aptitudes of the pupils, and the curriculum, syllabus and time-table shall be subject to the approval of the Ministry.

(2) The Ministry may prohibit the use in the school of any book of which it does not approve.

8. A school shall be in operation during the school year for at least 187 days (exclusive of Sundays) of which not more than five days may be counted in any one calendar week from Sunday to Saturday inclusive:

Provided that, in exceptional circumstances, the Ministry may sanction a reduction of this number upon application made by the school authorities.

9.—(1) A school shall be in operation for three terms in any school year; the first term shall end in December; the second in March or April and the third in June or July.

(2) The dates of school holidays shall be determined by the local education authority in the case of county schools and, subject to the provisions of paragraph (3) hereof, shall be approved by the authority in the case of voluntary schools.

(3) (*a*) The closing of a voluntary school during term for a period of not more than three days shall be at the discretion of the managers and any such closings shall be known as "discretionary closings".

(*b*) Not more than 15 school days may be reserved for "discretionary closings" within any school year.

(4) Not later than 31st March in any year the principal of every voluntary school shall furnish to the local education authority, in such form as the authority may prescribe, a statement of the dates on which it is proposed that the school will be closed in the ensuing school year, including (so far as is known at that time) the dates of "discretionary closings".

(5) (*a*) The local education authority's approval to proposals for holiday closings, as submitted in accordance with paragraph (4) hereof shall not be unreasonably withheld and the authority shall take into account any representations made by or on behalf of the managers of a voluntary school.

(*b*) In the event of the authority being unwilling to approve the proposals for closings submitted in accordance with paragraph (4) hereof (or any amended proposals submitted after consultation between the authority and the managers) the authority shall determine the date of such closings and shall notify the managers.

(*c*) If the managers of a voluntary school are unwilling to accept the decision of the local education authority about the dates of closing they may, within fourteen days of receipt of the notification referred to in the preceding sub-paragraph, refer the matter to the Ministry for final determination.

10.—(1) The Ministry may require that such of the Regulations made under Section 75 of the Act as it may from time to time direct shall be complied with in the case of pupils who are over compulsory school age, and in respect of all pupils (including pupils of compulsory school age) the school authorities shall keep such records and furnish such returns as the Ministry may deem necessary.

(2) Subject to the provisions of paragraph (3) an attendance shall mean an attendance on any day under instruction, other than in religious education, for a period of not less than 4½ hours in two sessions separated by a period of not less than half-an-hour:

Provided that the Ministry may approve the modification of this Regulation in the case of a pupil for whom educational instruction of a special nature is being provided.

(3) The minimum time constituting an attendance may include any time occupied by a pupil:

(*a*) in undergoing inspection or treatment under a scheme of school medical service;

(*b*) in attending an examination;

(*c*) in any other manner approved by the Ministry.

11. A class shall not consist of more than 35 pupils without the express approval of the Ministry:

Provided that a class for practical instruction in Science, Domestic Science, or such other subjects as the Ministry may determine shall not consist of more than 20 pupils without such approval.

Appointment and Recognition of Teachers

12.—(1) A full-time teacher is—

(*a*) a principal; or

(*b*) a teacher (including a teacher who holds an appointment under Regulation 27) engaged for at least 25 hours per week in school duties of which not less than 20 hours are devoted to class instruction in subjects of the approved time-table.

For the purposes of this Regulation the approved time-table shall be deemed to include the time-table of an institution of further education in the case of a teacher who is employed both in a technical intermediate school and in an institution of further education under a single school authority.

(2) A part-time teacher is a teacher who is not a full-time teacher:

Provided that the Ministry may decide that a part-time teacher who is employed in school duties for limited periods for 25 hours or more per week shall not be considered as a full-time teacher for any part of the year.

13. In order to be eligible for appointment, a teacher must possess the necessary qualifications in accordance with the First Schedule.

14. Every full-time teacher (including a substitute teacher) shall be required to satisfy the Ministry of his health and physical capacity for teaching.

15. The Ministry may refuse or withdraw recognition of a teacher on the grounds of misconduct or inefficiency.

16.—(1) Where school authorities desire that a teacher shall give instruction in a subject, or subjects, in which he has not been granted recognition, the Ministry may sanction such an arrangement subject to any limitation which it may consider necessary.

(2) Where the Ministry is satisfied that school authorities are unable to secure the services of a teacher who complies with the conditions necessary for recognition the appointment of a person who is not eligible for recognition may be sanctioned and such person may be permitted to teach for a limited period.

17. A teacher shall not engage in any activities which, in the opinion of the school authorities or of the Ministry, would interfere with the efficient and proper discharge of his duties as a teacher.

18. A teacher shall not be employed before he attains the age of 18 years or after he attains the age of 65 years except for limited periods in cases where there are special circumstances and with the approval of the Ministry.

Probation of Teachers

19. A teacher shall be regarded as being on probation for not less than two years of teaching service and, while on probation, his recognition shall be provisional:

Provided that the Ministry may waive the probationary period in whole or in part in the case of a teacher who has had approved teaching experience.

20.—(1) The Ministry's Inspectors and (if the probationer be not himself a principal) the principal of each school in which a teacher on probation is engaged shall report to the Ministry before the end of the period of probationary service upon the manner in which the teacher has discharged his duties and upon his fitness for continued recognition:

Provided that, in respect of a teacher who is engaged in giving religious instruction, no reports as to his efficiency in such instruction shall be furnished by the Ministry's Inspectors.

(2) After consideration of the reports the Ministry shall decide whether to confirm his recognition, to extend the probationary period, or to refuse further recognition.

21. The Ministry may, before confirming recognition, or at any time as a condition of continued recognition, require a teacher to attend further courses of study or to comply with such other conditions as it may determine.

Salaries of Teachers

22. The scales of salaries and allowances for teachers employed in intermediate schools and the conditions for admission to such scales of salaries and for the granting of such allowances shall be those prescribed by the Ministry and it shall be a condition of the payment of any grant from the Ministry under the Act in respect of a school that the teachers shall be remunerated by the school authorities at the appropriate rates so determined:

Provided that in the case of a teacher to whom compensation has been awarded by the Civil Service Committee under the provisions of the Government of Ireland Act, 1920, by reason of his removal from office in consequence of the transfer of Model Schools to local Education Authorities, and who is re-employed as a teacher subsequent to such removal, the rate of salary otherwise payable to him under these Regulations shall be reduced by an amount equivalent to the rate of compensation awarded to him.

23.—(1) The contributions payable by a teacher under the provisions of the Teachers (Superannuation) Act (Northern Ireland), 1950, as amended by the Teachers (Superannuation) (Amendment) Act (Northern Ireland), 1956, shall be deducted from his salary.