3. These Regulations shall come into operation on the date hereof.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland, this thirty-first day of December, nineteen hundred and forty eight, in the presence of

(L.S.) *R. S. Brownell,*
Secretary.

Grammar Schools (Grant Conditions)

REGULATIONS DATED 18TH MARCH, 1948, MADE BY THE MINISTRY OF EDUCATION, NORTHERN IRELAND, UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947, AND OTHER ENACTMENTS, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

Amended 1949 S.R.&O. (N.I.) 114

1948. No. 52

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, (hereinafter referred to as " the Act ") and by Section 6 of the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939, 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 —

(*a*) " 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 grammar school ;

" preparatory department " means the part of a school in which primary education is provided ;

" secondary department " means the part of a school in which secondary education is provided ;

" lower division " means that portion of the secondary department in which is provided a course leading to the Junior Certificate Examination of the Ministry ;

" upper division " means that portion of the secondary department in which is provided a course for pupils who have completed the lower division course ;

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

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

(*b*) other expressions which have meanings assigned to them by the Act shall have the same respective meanings for the purposes of these Regulations.

2. These Regulations prescribe the conditions which shall be satisfied by a school in order that grant may be payable in respect thereof under Section 104 of the Act.

General Conditions

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

(2) Recognition of a new school, or the continued recognition of an existing school, will be dependent upon the maintenance of such average enrolment of pupils as the Ministry may determine.

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

5.—(1) The school shall not be conducted for private profit or farmed out to the principal or other person.

(2) The income of the school from all sources must be devoted solely to approved educational purposes.

(3) A statement of the accounts of each voluntary school for each school year shall be furnished to the Ministry. This statement shall be certified by a qualified accountant and shall be supported by such vouchers and other evidence as the Ministry may require.

Management

6. A copy of the approved scheme of management shall be deposited with the Ministry and no variation of 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. The time-table shall provide that the school shall be open 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 permit variations from the approved time-table upon application made to the Ministry by the principal or other approved authority of the school.

9. The scale of fees or other charges in respect of pupils in the school shall be subject to the approval of the Ministry.

10. 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 Economy, or such other subjects as the Ministry may determine shall not consist of more than 20 pupils without such approval.

11.—(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 or under 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) The attendance of any pupil (including a pupil who is over or under compulsory school age) shall not be reckonable on any day for the purposes of these Regulations unless the pupil has been present under instruction (other than religious instruction) for the appropriate minimum period prescribed in any Regulations of the Ministry for the time being in force dealing with the attendance of pupils at schools.

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 38) who is employed 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 :

Provided that, if a teacher is employed in class instruction for at least 10 hours per week and also performs approved duties of a secretarial or administrative character in connexion with the school, half the time spent by him weekly in such secretarial or administrative duties may be reckoned as time spent in class instruction for the purposes of this Regulation.

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

(3) The Ministry may, at its discretion, decide that a part-time teacher who is employed in teaching 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 school year.

(4) A teacher who was recognised in a full-time capacity on 31st March, 1948, but who does not satisfy the requirements of paragraph (1) of this Regulation during the period 1st April, 1948, to 31st July, 1948, may, nevertheless, be recognised as a full-time teacher up to and including 31st July, 1948, if he is employed in teaching duties for at least 18 hours per week.

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

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

15. 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 conditions which the Ministry may consider necessary.

16. 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 under these Regulations 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. The school authorities may not allow a member of the teaching staff of the school to undertake any duties not connected with the work of the school which in the opinion of the school authorities or of the Ministry would interfere with the proper discharge of his duties in the school.

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 with the special approval of the Ministry, and such approval, if given, will be for only a limited period.

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 will be provisional :

Provided that the Ministry may waive part of or the whole of the probationary period 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 at the end of each year

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 furnished under the provisions of this Regulation, 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.

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

Salaries of teachers

23. The scales of salaries and allowances for teachers in a school and the conditions for admission to such scales of salaries and for the granting of such allowances shall be those which are prescribed from time to time by the Ministry and it shall be a condition for 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 rates not lower than the appropriate rates determined in accordance therewith.

24.—(1) The contributions payable by a teacher under the provisions of the Superannuation Scheme shall be deducted from his salary

(2) The amount of the contributions deducted under paragraph (1) of this Regulation shall —

(*a*) in the case of a teacher employed in a county school be remitted forthwith by the local education authority to the Ministry ;

(*b*) in the case of a teacher employed in a voluntary school be recoverable by the Ministry from grants payable by the Ministry to the school authorities.

Award of increments and placing of teachers at their appropriate positions on the salary scales

25.—(1) Subject to the provisions of the following paragraph of this Regulation a teacher shall remain on the commencing salary of the appropriate scale until he has satisfactorily completed his period of probation.

(2) A person who, before becoming employed in contributing service, has undertaken war service as defined by the Teachers' Salaries