Public Elementary Schools (Salaries and Allowances) (Amendment) Regulations (Northern Ireland), 1946,— (Statutory Rules and Orders of Northern Ireland, 1946, No. 107); and

Public Elementary Schools (Salaries and Allowances) (Amendment) Regulations (Northern Ireland), 1947,— (Statutory Rules and Orders of Northern Ireland, 1947, No. 93).

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 19th day of March, 1948, in the presence of

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

Intermediate Schools (Grant Conditions)

REGULATIONS, DATED 4TH 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.

1948. No. 44 Amended 1948 SR&O (N.I.) 320
" 1949 " " 175

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 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*) " the Act " means the Education Act (Northern Ireland), 1947 ;

" 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, in the case of a county school, the local education authority and, in the case of a voluntary school, the managers of that 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 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 the requirement of this Regulation 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 open during the school year for at least 200 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. 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.

10. The attendance of any pupil (including a pupil who is over 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.

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 Economy, 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 30) 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 in a technical intermediate school and also in an institution of further education which are under a single school authority.

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

Provided that the Ministry, at its discretion, 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 to these Regulations :

Provided that a teacher who does not possess the necessary qualifications, but who has successfully completed a course of training at a training college approved by the Ministry, and —

(*a*) who has pursued an approved course or approved courses extending over less than one academic session in one or more of the subjects of Group B of the said schedule ; or

(*b*) who was serving (otherwise than as *locum tenens*, temporary or substitute teacher) on 31st March, 1948, on the staff of a public elementary school which was superseded in whole or in part by an intermediate school to the staff of which the teacher was transferred on or before 1st August, 1948,

may be regarded as eligible for appointment subject to such conditions as the Ministry may determine.

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. 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 the Ministry 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 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. 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 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. The Ministry's Inspectors and (if the probationer be not himself a principal) the principal of the school (or schools) in which the 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 :

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

21. After consideration of the reports furnished under the provisions of Regulation 20 the Ministry shall decide whether to confirm recognition, to extend the probationary period or to refuse further recognition.

22. 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

23. 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 which are prescribed from time to time 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 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 the provisions of 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 the grant payable in respect of the teacher.

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 and Superannuation (War Service) Act (Northern Ireland), 1939, and who becomes employed in contributing service before the 1st April, 1951, may be given credit for incremental purposes in accordance with the appropriate salary scale as from the date of entering contributing service in respect of any complete years of such war service, as if it had