REGULATIONS, DATED 18TH OCTOBER, 1938, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND), 1923 TO 1935, AFTER CONSULTATION WITH THE MINISTRY OF FINANCE.

1938. No. 125.

1.—These regulations may be cited as the Public Elementary Schools Regulations, 1934, Amending Regulations, No. 9, 1938.

2.—The Public Elementary Schools Regulations, 1934 (Statutory Rules and Orders of Northern Ireland, 1934, No. 40), as amended by the Public Elementary Schools Regulations, 1934, Amending Regulations, No. 1, 1935; Amending Regulations, No. 2, 1936; Amending Regulations, No. 3, 1936; Amending Regulations, No. 4, 1937; Amending Regulations, No. 5, 1937; Amending Regulations, No. 6, 1937; Amending Regulations, No. 7, 1938; and Amending Regulations, No. 8, 1938 (Statutory Rules and Orders of Northern Ireland, 1935, No. 69; 1936, No. 83; 1936, No. 159; 1937, No. 17; 1937, No. 57; 1937, No. 87; 1938, No. 28; and 1938, No. 63; respectively), which Regulations as so amended are herein referred to as "The Principal Regulations", are hereby amended as follows :—

Staffing.

3.—Article 46 of the Principal Regulations shall cease to have effect for the period from 30th June, 1938, to 30th June, 1941, and the following Article is hereby substituted therefor :—

46.—(*a*) In a school other than a "large school" the grant shall not (save as provided in articles 45 and 47) be withdrawn from an assistant teacher until the end of six consecutive quarters for which the average attendance of pupils has fallen by more than ten units below the appropriate "appointment" average.

(*b*) The grant to a junior assistant mistress under articles 40 and 44 or to a junior assistant mistress whose appointment has been confirmed under the terms of Article 47 shall not be withdrawn until the end of six consecutive quarters for which the average daily attendance has fallen below 30 units.

(*c*) (i) The grant in respect of a vice principal appointed on or after 1st July, 1935, shall not be withdrawn in the case of a "large school" until the 30th June following a decrease in average attendance for a year ending on the previous 31st March, and in the case of other schools until the end of two consecutive quarters, below that required for his appointment, as prescribed in Article 41 : Provided, however, that in the case of an appointment made prior

to 1st July, 1935, the grant to a first vice principal shall not be withdrawn owing to a decrease in the average daily attendance until the end of two consecutive quarters for which the average daily attendance has fallen below 160 pupils and to a second vice principal until the average daily attendance has fallen below 320 pupils, so long as he continues to serve as vice principal in the same school.

(ii) If the Ministry is satisfied that the insufficiency of the average daily attendance has been due to epidemic disease or other exceptional cause, the grant to the vice principal may be continued for an additional period, but in no circumstances may the date for the withdrawal of the grant be postponed beyond the end of the fourth consecutive quarter of insufficient average daily attendance. The exceptional causes must be clearly stated in the school return for each quarter of insufficient average daily attendance, and the claim for continuance of the grant must be sustained by medical certificate and any other information required by the Ministry.

Provided, however, that this last paragraph shall not apply to the case of a vice principal serving in a " large school " in which his appointment in that capacity was made on or after 1st July, 1935.

Compensation Grant and Additional Increment.

4.—For the purpose of these regulations, the word "mathematics" shall mean Algebra or Geometry or both of these subjects.

5.—Articles 139 to 145 of the Principal Regulations are hereby repealed with effect from 1st July, 1938 : Provided that the Ministry shall have power after that date to pay grants in respect of instruction given prior to that date, in accordance with the conditions prescribed in the said Articles.

6.—An annual grant, to be termed the Compensation Grant, shall be payable to each teacher who received grants for instruction in mathematics for the full period of three school years ended on 30th June, 1938, or for any portion of that period ; subject to the condition that the teacher shall continue to give instruction in mathematics to such extent as may be necessary, unless specially exempted therefrom by the Ministry.

7.—(*a*) The Compensation Grant payable to a teacher who received grants for instruction in mathematics for the full period of three years ended as aforesaid shall be an amount equivalent to—

either (I) one-third of the total of the grants received by him for the said three years ;

or (II) the grants received by him for the year ended 30th June, 1938;

whichever is the greater sum.

(*b*) The compensation grant payable to a teacher who received grants for instruction in mathematics for less than the full period of three years ended as aforesaid shall be an amount equivalent to one-third of the grants received by him for that lesser period.

8.—(*a*) Subject to the provisions of Article 10, the Compensation Grant, where awarded, shall be payable to the teacher over a total period of service in a school or schools, subsequent to 30th June, 1938, equivalent in duration to the total period not exceeding fifteen years in the aggregate for which he received grants for instruction in mathematics from the Ministry. The Compensation Grant shall be payable over a minimum period of service of three years and a maximum period of fifteen years :

Provided, however, that if the period over which the Compensation Grant would be payable as aforesaid should expire on or after the date on which the teacher reaches the age of 60 years, the Compensation Grant may be continued up to the date of the teacher's retirement from the service.

(*b*) The Compensation Grant payable to a teacher may be reduced or withheld in any year in which the requirements of these regulations have not been complied with or where the efficiency of the teacher has seriously declined.

(*c*) Payment of Compensation Grant shall be suspended during periods of service as locum tenens or as substitute teacher.

9.—Subject to the provisions of Article 10, every teacher (other than a junior assistant mistress or a teacher paid on the scale applicable to untrained teachers appointed for the first time on or after 1st January, 1921) who, on 1st July, 1941, has been at least for one year in receipt of the maximum rate of salary of the normal scale appropriate to his position, or who is then in receipt of a salary in a supernormal scale, shall from that date be entitled to an additional increment at the rate of £12 per annum in the case of a man and £5 per annum in the case of a woman, and, thereafter, every teacher shall become entitled to the additional increment from the day following the date of completion of one year of service at the maximum of the normal scale :

Provided that where the scale of salary of a man teacher is also that applicable to a woman teacher in a similar position, such man teacher shall be entitled to the additional increment only at the rate of £5.

10.—Where, at the date on which he becomes eligible in other respects for the award of an additional increment under Article 9, a teacher is in receipt of a Compensation Grant equal to or greater than the additional increment, he shall continue to receive the Compensation Grant until the end of the period for which it is payable under Article 8, and he shall not be eligible to receive the additional increment until the Compensation Grant has ceased. If, however, the Compensation Grant is less than the additional increment, the Compensation Grant shall cease and the additional increment shall be substituted therefor from the date on which the teacher becomes so eligible.

11.—The foregoing provisions for the payment of Compensation Grant and additional increment shall not apply to members of religious communities in convent schools and schools conducted by Christian Brothers in respect of which grants are paid on the Capitation system, but the Ministry may, with the concurrence of the Ministry of Finance, make such additional payments in lieu to the conductors of these schools as it may deem equitable and proper.

Organisation and School Attendance.

12.—Article 28 (*f*) of the Principal Regulations shall be amended from 1st July, 1939, by the deletion of the words " of 3½ hours " in the fifth line, by the substitution of " (*c*) " for " (*e*) " in the fifth line, and by the substitution of " sub-section (*c*) " for " sub-section (*e*) " in the ninth line thereof

13.—Articles 34 and 35 of the Principal Regulations shall be repealed from 1st July, 1939, and the following articles shall be substituted therefor :

34.—(*a*) Except as allowed by Article 35, there shall be provided on the time table for secular instruction on five days in the week, after roll call—

(1) for pupils of fifth and higher standards

(i) in all schools with three or more teachers and

(ii) in all schools in which mathematics is required to be taught as a condition of receipt of compensation grant as defined in Article 6 of the present amending regulations—

at least 4½ hours;

(2) for pupils in fifth and higher standards in all schools with one or two teachers in which mathematics is not required to be taught as a condition of receipt of compensation grant and for pupils of fourth and lower standards in all schools—at least 4 hours.

The secular instruction period shall consist of two meetings, which may be of equal or of unequal length, provided that, except as allowed by Article 35, a meeting must include at least two hours secular instruction and the periods of secular instruction must together amount to at least the prescribed minimum.

(*b*) The morning and afternoon meetings shall be separated by an interval of not less than half-an-hour and not more than an hour-and-a-half. In large urban centres where arrangements are in operation for providing free meals, the interval shall be at least an hour, and in other cases it shall not exceed an hour if serious inconvenience would result.

35.—For grant purposes and the staffing of schools an " attendance " shall mean presence at secular instruction, for not less than the time prescribed therefor in the time table during both morning and afternoon meetings, in accordance with Article 34. A " half attendance " shall mean presence at secular instruction during the whole time prescribed therefor in the time table during either the morning or the afternoon meeting, as the case may be, in accordance with Article 34 :

Provided, however, that—

(*a*) the minimum time constituting an " attendance " may be reduced to three hours, and the minimum time constituting a " half attendance " may be reduced to an hour-and-a-half.

(i) in the case of pupils enrolled in infants' classes in all schools except infants' schools;

(ii) in the case of pupils enrolled in infants' classes and first standard in all schools on any day when such reduction is necessary to facilitate the teaching of Domestic Economy or other practical subject;

(iii) in the case of pupils attending special schools or classes for afflicted or physically defective children.

(*b*) the minimum time constituting a " half attendance " at the afternoon meeting may be reduced to an hour-and-a-half in the case of pupils under six years of age in all schools;

(*c*) in schools in which an annual examination in the religious or Bible instruction of the pupils is held, the minimum time constituting an " attendance " may, on the day of the examination, be reduced by not more than half-an-hour. This proviso may be availed of on only one occasion in any school year and only if the provisions of sub-section (*f*) of Article 28 are not being availed of in the same year.