

SCHEDULE 2

ALTERATIONS OTHER THAN FOUNDATION PROPOSALS WHICH MAY BE PUBLISHED BY A GOVERNING BODY

PART 3

Prescribed alterations proposed by the governing body of a foundation special or community special school

Special education needs

17. A change in the type of special educational needs for which the school is organised to make provision.

Transfer to new site

18. The transfer of a school to a new site except where the main entrance of the school on the proposed new site would be within 2 miles of the main entrance of the school on its current site (unless the school is transferring to a new site within the area of another local education authority).

Increase in number of pupils

19.—(1) Except where the school is established in a hospital, any increase in the number of pupils for whom the school is organised to make provision which, when taken together with all such previous increases in the number of pupils would increase the number of such pupils by 10% or the relevant number of pupils (whichever is the lesser) as compared with—

- (a) the number of such pupils on the appropriate date; or
- (b) if, at any time after that date the number of such pupils was lower than on that date, the lowest number at any such time.

(2) In this paragraph—

the “appropriate date” means whichever is the latest of the following dates—

- (a) the date falling 5 years before the date on which the governing body publish proposals to increase the number of pupils for which the school is organised to make provision;
- (b) the date when the school was established;
- (c) where any proposals for the making of a prescribed alteration to the school consisting of an increase in the number of pupils have been approved under paragraph 3 or 4 of Schedule 6 or paragraph 8 or 9 of Schedule 7 to SSFA 1998, or under these Regulations, the date (or latest date) on which the last of any such proposals were implemented;

the “relevant number of pupils” is 5 where the school only makes boarding provision and 20 in any other case.

Decrease in numbers

20. Except where the school is established in a hospital, any decrease in the number of pupils for whom the school is organised to make provision.

Boarding

21.—(1) The introduction or ending of boarding provision.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) Where the school makes provision for day pupils and boarding pupils, the alteration of boarding provision such that the number of pupils for whom boarding provision is made is increased or decreased by 5 pupils or more.

Alteration of upper or lower age limits

22. The alteration of the upper or lower age limits of the school (that is to say the highest and the lowest ages of pupils for whom education is normally provided at the school).

Sex of pupils

23.—(1) An alteration to a school to provide that—

- (a) a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes; or
- (b) a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only.

(2) For the purpose of this paragraph a school is to be treated as an establishment which admits pupils of one sex only if the admission of pupils of the other sex—

- (a) is limited to pupils over compulsory school age; and
- (b) does not exceed 25% of the number of pupils in the age group normally at the school.