

**Public Elementary Schools : Regulations.**

REGULATIONS, DATED 11TH MARCH, 1938, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND), 1923 TO 1935.

1938. No. 28.

**1.**—These regulations may be cited as the Public Elementary Schools Regulations, 1934, Amending Regulations, No. 7, 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, and Amending Regulations, No. 6, 1937 (Statutory Rules and Orders of Northern Ireland, 1935, No. 69; 1936, No. 83; 1936, No. 159; 1937, No. 17; 1937, No. 57, and 1937, No. 87, respectively), which Regulations as so amended are herein referred to as "The Principal Regulations," are hereby amended as follows :—

**3.**—Clause (b) of Definitions, Staffing, Part IV, of the Principal Regulations is hereby repealed and the following clause substituted therefor :—

(b) When the average attendance at a school (other than a school conducted by members of a religious community and paid by capitation grant) for a year ending 31st March is at least 365, the school shall be deemed to be a "large school" from the following 1st July, and shall continue to be regarded as such until the recognition therein of a 7th assistant teacher is no longer warranted by Clause (b) of Article 54 of the Principal Regulations.

**4.**—Clause (c) of Definitions, Staffing, Part IV, is hereby repealed with effect from 15th January, 1938.

**5.**—Clause (c) of Article 46 of the Principal Regulations is hereby amended by adding thereto the following :—

The attendance of pupils at examinations in connection with admission to recognised Preparatory, Intermediate, Secondary or Technical Schools on a day or days when the public elementary school is in operation, may be regarded as an exceptional cause within the meaning of this clause.

**6.**—Article 54 of the Principal Regulations is hereby amended as follows :—

(i) Clause (a), line 1 : Before " The maximum number of assistants," insert " Except as provided in Clause (h) of this Article."

(ii) The following Clause is hereby added after Clause (g) :

(h) Notwithstanding the terms of the foregoing clauses of this Article, a large school which at the date of these Regulations is staffed in accordance with Articles 40, 44 and 46, or a school which, by reason of increase in attendance, becomes a large school after that date, may continue to be staffed in accordance with Articles 40, 44 and 46 until the occurrence of the first vacancy therein for an assistant

**7.**—Article 58 of the Principal Regulations is hereby repealed.

**8.**—Article 67 of the Principal Regulations is hereby repealed and the following Article substituted therefor :—

**67.** All candidates for appointment as teachers in

- (1) An Infants' School,
- (2) Classes containing Infants or First or Second Standard in a Junior School,
- (3) Classes containing Infants or First Standard in schools (other than Infants' or Junior Schools) with more than three assistants

must be fully qualified in Infant Training.

Any of the following qualifications will be accepted as fulfilling this requirement :—

- (a) Certificates from Kindergarten Institutions approved by the Ministry.
- (b) A favourable report from the Ministry's Organiser in connection with the teacher's period of training in a recognised training college. This qualification shall be provisional only, and shall be confirmed or withdrawn at the same time as the diploma. If a teacher holding this provisional qualification undertakes work for the first time in an infants' school or in classes containing infants, first or second standard after she has obtained the diploma, she shall be on trial as a teacher of such classes and shall be required to qualify for confirmation of this provisional qualification by means of a special test conducted after two years' service in that capacity.
- (c) Highly efficient service in infants' schools or in classes containing infants, first or second standard,

9.—Clause (a) of Article 71 of the Principal Regulations is hereby repealed and the following Clause substituted therefor :—

**71.** (a) Principal and assistant teachers and trained junior assistant mistresses on first appointment shall be placed on probation. For the purpose of probationary service, which may include service as a substitute, credit shall only be given—

- (1) for a period of not less than three months' continuous service in one school, or
- (2) for a period of not less than two months' continuous service in a school followed either immediately or after an interval of not more than five school days by a further period of not less than two months' continuous service in a school, whether the same or another school.

The duration of probationary service reckoned as above shall be two years, which must be completed within a period of five years :

Provided that an aggregate of service (including all shorter portions for which no credit can be given under (1) and (2) of this Clause) of three years, if completed within a period of five years, may be accepted as a sufficient duration of probationary service.

If towards the end of this probationary service the probationer's work is rated as efficient, as a result of a special inspection, full recognition and the diploma will be granted from the day after the completion of such service. In cases of doubt a decision may be postponed for six months, and if about the end of that additional period of service the teacher's work, when re-tested, is rated as efficient, full recognition and the diploma will be granted from the day after the completion of the additional six months' service.

If the probationer's work does not reach an efficient standard at the end of his probationary service (extended where necessary for the additional period of six months) the teacher may, after consideration of the reports on his work by the Ministry's inspectors, be granted a further two years' probation—to be known as the second probationary period. During the second probationary period a teacher shall be recognised, if a man, only as an assistant, or, if a woman, as an assistant or junior assistant mistress, and recognition as a principal teacher, if the probationer has been serving as such, shall be withdrawn (at least three months' notice being given). If towards the end of the second probationary period the probationer's work is rated as efficient, full recognition and the diploma shall be granted from the day after the completion of this second pro-

bationary period. If the work does not reach an efficient standard, the diploma shall be finally disallowed and recognition shall be withdrawn and the probationer shall leave the service.

This regulation shall have effect from 1st October, 1937, but for the purpose of full recognition and award of the diploma credit may be given for service prior to that date under the conditions prescribed herein.

**10.**—These regulations shall be construed with and as forming part of the Principal Regulations and they shall take and have effect from 1st October, 1937, except as otherwise provided herein.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 11th day of March, 1938, in the presence of—

(L.S.)

(Signed),

A. N. BONAPARTE WYSE,

Secretary.

REGULATIONS, DATED 24TH MAY, 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. 63.

**1.**—These regulations may be cited as the Public Elementary Schools Regulations, 1934, Amending Regulations, No. 8, 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; and Amending Regulations, No. 7, 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; and 1938, No. 28; respectively), which Regulations as so amended are herein referred to as "The Principal Regulations", are hereby amended as follows:—

**3.**—Clause (c) of Article 85 of the Principal Regulations is hereby repealed and the following Clause substituted therefor:—

85. (c) The employment of a substitute shall not be required during an absence owing to illness which does not exceed five successive working days, or during the first five working days of a longer period of such absence. If a substitute be not employed when required, salary may nevertheless be allowed

to the absent teacher, but the Ministry shall deduct from such salary a sum equivalent to the full remuneration of a substitute (of the same sex as the absent teacher) at the appropriate rate set forth in subsection (e) of this Article, for the working days on which such substitute should have been employed, or where such sum is in excess of the salary of the absent teacher for the said days, then a sum equivalent to such salary :

Provided, however, that in no case shall the absent teacher be entitled to salary for any period of absence, during which a substitute has not been employed, in excess of a total of 23 working days in any calendar year.

4.—Clause (e) of Article 85 of the Principal Regulations is hereby repealed and the following Clause substituted therefor :—

85. (e) Substitutes employed during absences owing to illness shall receive remuneration at the following rates :—

For Principals and  
Assistants—

Men substitutes 12/- per working  
day ;

Women substitutes 10/- per work-  
ing day.

For Junior Assistant  
Mistresses—

Women substitutes 8/- per work-  
ing day.

(A man may not be recognised as a qualified substitute for a Junior Assistant Mistress save in the most exceptional circumstances : if so recognised, he shall receive remuneration at the rate of 12/- per working day.)

Where under the terms of the foregoing clauses of this Article it is required that a substitute be employed, or where, during the absence of a teacher owing to illness, a substitute is employed prior to the date on which his employment is required under the foregoing clauses of this Article, one-third of the remuneration payable to the substitute in respect of such employment shall be provided by the absent teacher and the remaining two-thirds by the Ministry. The Ministry shall remit to the substitute the whole amount of such remuneration and shall recover the said proportion of one-third from the absent teacher by deduction from his salary or otherwise.

Provided, however, that no payment shall be made by the Ministry to a substitute in respect of service on any day or days for which salary is not allowable to the absent teacher.

5.—Clause (g) of Article 85 of the Principal Regulations is hereby repealed and the following Clause substituted therefor :—

85. (g) Salary may be allowed to a teacher for any day or days on which he is required to cease attendance at school owing to the occurrence of infectious disease in his home provided

(1) that a medical certificate in support of the absence be furnished to the Ministry through the Manager

and

(2) that a qualified substitute approved by the manager be employed in the same manner and on the same terms and conditions as are prescribed in Clauses (b), (c) and (e) of this Article in the case of absence owing to personal illness.

6.—Article 90 of the Principal Regulations is hereby repealed and the following Article substituted therefor :—

90. (a) Except in the case of teachers first appointed prior to 1st July, 1911, married women teachers must absent themselves from their schools for two months continuously during the period preceding and succeeding childbirth, and must provide qualified substitutes at their own expense for such portion of the two months as is not included in the ordinary vacation of the school. No salary or other emoluments will be paid to the teacher for any portion of the two months in which the school was in operation and in which the teacher herself served or in which no recognised substitute served.

(b) The absence of the teacher under the terms of clause (a) of this Article shall not be deemed to be absence owing to personal illness within the meaning of Article 85 hereof; and if the teacher be absent for a period exceeding the two months required by Clause (a) of this Article no portion of the remuneration of the substitute shall be provided by the Ministry under the terms of Clause (e) of Article 85 until the absent teacher shall have provided a substitute at her own expense for two months during which the school was in operation.

7.—These regulations shall be construed with and as forming part of the Principal Regulations and they shall take and have effect from 1st July, 1938.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 24th day of May, 1938, in the presence of—

(L.S.)

(Signed) A. N. BONAPARTE WYSE,

Secretary.