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Rt. Hon. R. J. Seddon.

EDUCATION ACT AMENDMENT.

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<i>Department of Education.</i>	<i>Appointment and Salaries of Teachers.</i>
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A BILL INTITULED

AN ACT to amend "The Education Act, 1904."

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act is "The Education Act Amendment Act, 1905"; and it shall form part of and be read together with "The Education Act, 1904" (hereinafter referred to as "the principal Act").

Short Title.

10 *Department of Education.*

2. (1.) The Governor may from time to time appoint an Inspector-General of Schools, a Secretary to the Department of Education, and such other Inspectors of Schools, clerks, and other officers as may be deemed necessary.

Officers of Department.

15 (2.) The persons holding any office in the Department of Education on the passing of this Act shall be deemed to have been appointed under this Act.

(3.) This section is in substitution for section five of the principal Act, which section is hereby accordingly repealed.

20 *Education Boards.*

3. For every education district there shall be an Education Board consisting of ten members, who shall, in the manner prescribed

Constitution of Boards.

by this Act, be elected by the parents of the children attending the public schools in the district.

Division of district
into wards.

4. (1.) The Board of each district shall from time to time cause the district to be divided into five wards, on the basis of the yearly average attendance for the schools in such district, so that the number of children in yearly average attendance in each ward shall be as nearly as possible the same : 5

Provided that for this purpose every school with more than two hundred and fifty children in yearly average attendance shall be regarded as having two hundred and fifty children in yearly average attendance. 10

(2.) In making such division the Board shall have regard to the natural geographical grouping of the schools, and, in particular, each city or borough shall be wholly within one ward.

(3.) The Board shall assign a name to each ward, and not later than the first day of May in each year shall publicly notify the names of the several wards and the schools situate in each ward. 15

(4.) Two members of the Board shall be elected for each ward.

Qualification of
electors.

5. Every person entitled to vote at elections of members of School Committees shall be entitled to vote at elections of members of the Board : 20

Provided that at any election no person shall vote more than once in any education district.

Mode of election.

6. (1.) Elections of members of the Board shall be held at the same time and place as elections of members of School Committees. 25

Existing members.

(2.) The members in office on the passing of this Act shall retire from office on the fourth Monday in April, one thousand nine hundred and *six*.

Retiring members.

7. (1.) On the fourth Monday in April in every succeeding year one of the members for each ward then in office shall retire, but shall be eligible for re-election. 30

(2.) The members to retire in the year one thousand nine hundred and *seven* shall be decided by lot in such manner as is determined by the Board, and thereafter shall be those who have served longest on the Board without re-election. 35

Returning Officer.

8. For the purpose of every election the Secretary of the Board shall be the Returning Officer.

Procedure with
respect to elections.

9. (1.) Not later than thirty-eight days before the date of the election the Returning Officer shall, by advertisement in a newspaper circulating in the district, notify the number of vacancies, the date on which nominations will close, and the date on which the election will be held. 40

(2.) Nominations shall close at five o'clock on the afternoon of the twenty-second day before the date of the election.

(3.) No person shall be eligible as a candidate for election unless he is nominated in writing by at least two electors, and the nomination-paper, bearing the candidate's consent in writing, is received by the Returning Officer before the nominations are closed. 45

Duties of Returning
Officer.

10. Where there are more nominations received than there are vacancies to be filled the Returning Officer shall, not later than the seventeenth day before the date of the election, notify in manner aforesaid— 50

(a.) The number of members to be elected ;

(b.) The full name of every duly nominated candidate ; and

(c.) The day on which the elections will be held and hour at which the poll will be closed ; 55

and shall also forward to the Chairman of each School Committee in the education district a sufficient supply of voting-papers for the use of the electors.

11. (1.) The voting-paper at every election shall be in the form prescribed, and the voting shall be by ballot. Voting at election.

(2.) The Chairman of each School Committee shall be the Deputy Returning Officer for that school district.

(3.) There shall be provided by the Minister for each school, in lieu of a ballot-box, a ballot-bag, into which shall be placed by each elector his marked ballot-paper.

(4.) When placing his ballot-paper in the bag the elector shall hand to the Deputy Returning Officer a paper containing his name, address, and occupation in writing.

12. (1.) Immediately on the close of the poll the Deputy Returning Officer shall make up in a sealed packet the ballot-bag, together with the papers containing the names of the electors who have voted, and shall forthwith either deliver the same to the Returning Officer at the office of the Board or transmit it to him by registered post. After the poll.

(2.) Such package, if sent by post and marked "Education Board Election-papers," shall be delivered post-free.

13. On the occurrence of any extraordinary vacancy (meaning thereby a vacancy arising from any cause otherwise than by effluxion of time) an election shall be held in the manner hereinbefore prescribed, on a day to be fixed by the Board, being not later than the fiftieth day after the vacancy occurs; and the member so elected shall hold office so long only as the vacating member would have held it. Extraordinary vacancies.

14. (1.) Sections eleven to twenty-one, thirty, thirty-one, and thirty-seven of the principal Act are hereby repealed. Repeal.

(2.) The principal Act is hereby further consequentially amended as follows:— Amendments of principal Act.

(a.) As to the section twenty-seven thereof: By inserting after the words "and every" in subsection one the words "Deputy Returning Officer and."

(b.) As to section twenty-nine thereof: By repealing the words "and voting-papers."

(c.) As to section thirty-four thereof: By repealing the word "nine," and substituting in lieu thereof the word "ten."

Appointment and Salaries of Teachers.

15. Section fifty-seven of the principal Act is hereby amended by adding thereto the following subsections:— Appointment of teachers.

"(2.) The Board shall consult the Committee in regard to the appointment of teachers, whether by removal from another school or otherwise, in the manner following:—

(a.) Not later than twenty days before the day on which the appointment is to be made the Board shall send to the Chairman of the Committee a list containing the names of all those who are applicants for appointment to a vacancy, and a smaller list containing not more than six names (in order) of applicants whom the Board considers best fitted to fill such vacancy, stating the length of

service and other qualifications of such applicants, the name of the teacher that the Board proposes to appoint being placed first on such list; and the Board shall at the same time notify the Committee on what day it proposes to make the appointment.

“(b.) The Committee shall in writing notify the Board of their agreement or disagreement with the proposal of the Board, and such notification, together with a statement of the grounds for disagreement, if any shall be delivered or posted so as to reach the Secretary of the Board not later than three days before the day on which the appointment is to be made.

“(c.) The Board shall consider the notification, if any, received from the Committee, and thereupon, or if no such notification has been received, may proceed to make the appointment.

“(3.) Notwithstanding anything in the *last preceding* subsection the Board and Committee may mutually agree that the Board may appoint a temporary teacher, or any teacher, although the Committee has not been consulted.”

Teaching staff.

16. (1.) Notwithstanding anything in the principal Act, the number of teachers and pupil-teachers in every public school shall be such as is prescribed for the average attendance thereat in the Schedule hereto :

Provided that, as regards any school that at the commencement of this Act or at the beginning of any year thereafter is placed in grade one or a higher grade, the salary of any teacher shall not be reduced, by reason of a fall in the average attendance, below the salary payable to such teacher in such school unless the mean average attendance for the two years ending the thirty-first day of December preceding has been such as would reduce the grade of the school by one or more grades; but every teacher hereafter appointed to a school shall on appointment receive the salary assigned to such teacher in accordance with the grade to which the school belongs.

Teachers' salaries.

(2.) The salaries of the teachers and pupil-teachers in any public school shall be the salaries assigned to such teachers and pupil-teachers in the Schedule hereto :

Provided that until the thirty-first day of December, one thousand nine hundred and six, no teacher shall receive under this Act a lower salary than he would have received under the First Schedule to “The Education Act Amendment Act, 1904.”

(3.) This section is in substitution for sections fifty-nine and sixty of the principal Act; and those sections, and the Fourth Schedule to the same Act, and paragraphs (b), (c), and (e) of section two of “The Education Act Amendment Act, 1904,” and the First Schedule to that Act, are hereby repealed.

Scholarships.

17. Section sixty-eight of the principal Act is hereby amended by repealing the second paragraph thereof, commencing with the words “The successful competitor,” and substituting in lieu thereof the following subsection :—

“(2.) The holder of any such scholarship shall receive the amount of his scholarship only so long as he prosecutes his studies diligently, to the satisfaction of the Board, at a secondary school or its equivalent approved by the Board.”

Section 68 of the principal Act amended.

18. Section seventy-four of the principal Act is hereby amended by repealing the words "fourteen years of age" in paragraph (b), and substituting in lieu thereof the words "thirteen years of age on the first day of the month in which the examination is held."

Scholarship age.

5 *District High Schools.*

19. (1.) With respect to district high schools the following provisions shall apply—

Teaching staff at district high schools.

10 (a.) Notwithstanding anything in the principal Act the number of teachers and pupil-teachers in the primary department of a district high school shall be the same, and at all times and in all respects as strong, as in a public school with the same average attendance as such primary department; and the head teacher shall devote the greater part of his time and attention to the supervision and instruction of the classes in such primary department.

15 (b.) The salaries of the head teacher and the other teachers of the primary department shall be the same as those assigned to the corresponding teachers in a school having the same average attendance as the primary and secondary departments taken together, except that the Board shall pay to the head teacher the additional amount set down in Part VI. of the Schedule hereto.

20 (c.) The number of teachers in the secondary department of a district high school (exclusive of the teachers in the primary department) shall be such as are prescribed in Part VI. of the said Schedule.

25 (d.) The salaries of the teachers in the secondary department of a district high school shall be the salaries assigned to such teachers in Part VI. of the Schedule hereto.

30 (e.) The salary of any teacher in a district high school shall not in consequence of this section be reduced below the average salary paid to him during the twelve months preceding the first day of July, one thousand nine hundred and five, so long as he remains in the same position.

35 (f.) For the purposes of this section "primary department" means the classes up to and including Standard VI.; and "secondary department" means the classes of Standard VII.—namely, the classes containing the pupils who are receiving instruction in such secondary, technical, or higher subjects as are prescribed.

40 (2.) This section is in substitution for section eighty-two of the principal Act, which section is hereby accordingly repealed.

Manual and Technical Instruction.

45 20. Section one hundred and seventy-four of the principal Act is hereby amended by adding to subsection one thereof the following proviso:—

Appointment of managers.

50 "Provided that in any case the controlling authority shall have the power to appoint at least one manager if the total number of managers does not exceed six, and at least two managers if the total number exceeds six."

21. The managers of associated classes shall keep full and true accounts of all sums received by them, and shall render such accounts annually, at such time and in such form as may be prescribed, and all such accounts shall be audited by the Audit Office as provided by section six of "The Public Revenues Act, 1892."

Accounts and audit.

Schedule.

SCHEDULE.

PART I.—MIXED SCHOOLS. [A mixed school is a school to which all boys and girls of school-age are admitted.]

Scale of Staffs and Salaries.

Grade.	Average Attendance.	Head or Sole Teacher.	Assistants.												Number of Pupil-teachers.	
			£6 per head	£	£	£	£	£	£	£	£	£	£	£		
0	1-15	£6 per head														
		£	£	£	£	£	£	£	£	£	£	£	£	£	£	
1	16-20	110														
2	21-25	130														
3	26-32	144														
4	33-40	160														
5	41-50	165	85													
6	51-60	180	90													
7	61-75	195	95													
8	76-90	215	100													
9	91-120	225	105													1
10	121-150	235	110													2
11	151-200	250	130	115												2
12	201-250	265	160	120	105											2
13	251-280	275	175	125	115											3
14	281-330	290	190	130	125	100										3
15	331-390	300	205	135	135	110	90									3
16	391-420	310	215	145	140	115	105									4
17	421-490	320	225	155	145	125	110	85								4
18	481-510	330	235	165	150	135	115	95								5
19	511-570	340	235	170	155	145	120	105	85							5
20	571-630	350	235	175	160	150	125	110	95							6
21	601-660	360	240	180	170	155	130	115	105	85						6
22	661-690	365	240	190	180	160	135	120	110	95						7
23	691-750	370	240	195	185	165	140	125	115	100	85					7
24	751-780	375	245	200	190	170	145	130	120	105	95					8
25	781-840	380	245	205	195	175	150	135	125	110	100	85				8
26	841-870	385	245	205	195	175	155	135	125	115	105	90				9
27	871-980	390	250	210	200	180	160	140	130	120	110	95	85			9
28	981-960	395	250	210	200	180	160	140	130	120	110	100	90			10
29	961-1,020	400	250	210	200	180	160	140	130	120	110	105	95	85		10
30	Over 1,020, as for Grade 29, with an additional pupil-teacher for each additional 30 or part of 30 in average attendance.															

The above scale is subject to the following modifications and conditions:—

- (a.) The number of male assistants in any school must not exceed the number of female assistants.
- (b.) At least one out of the first three assistants in any school must be a woman.
- (c.) At least three out of the first six assistants in any school must be women.
- (d.) An assistant at £90 may be substituted for two pupil-teachers.
- (e.) Instead of appointing a pupil-teacher, a Board may add £45 to the salary of a certificated assistant.
- (f.) Two pupil-teachers may be substituted for an assistant.
- (g.) Not more than two of the changes (e) and (f) shall be allowed in any school.
- (h.) A deduction of 10 per cent. from the salary as prescribed above shall be made in the case of every uncertificated head or sole teacher or assistant; but not so as to reduce the annual salary below £85.

Salaries of Pupil-teachers

(according to Year of Service, as prescribed by Regulations).

First year, £25, with allowance of £20 if obliged to live away from home.

Second year, £35, with allowance of £15 if obliged to live away from home.

Third year, £45, with allowance of £10 if obliged to live away from home.

Fourth or fifth year, £55, with allowance of £5 if obliged to live away from home.

PART II.—SEPARATE SCHOOLS.

A SEPARATE school is a separate school with more than 200 and not more than 600 children in average attendance.

A separate boys' school is a separate school to which there are admitted boys belonging to any of the standard classes, or to any of the standard classes above Standard I. or above Standard II., but no other pupils.

A separate girls' school is a separate school to which there are admitted girls belonging to any of the standard classes, or to any of the standard classes above Standard I. or above Standard II., but no other pupils.

A separate infants' school is a separate school to which there are admitted all boys or girls belonging to classes not higher than Standard I. or Standard II.

Scales of Staffs and Salaries.

Average Attendance.	Head Teacher.	Assistants.							Number of Pupil-teachers.
<i>Separate Boys' Schools.</i>									
201-250	£ 265	£ 200	£ 160	£ 125	£ ...	£ ...	£ ...	£ ...	2
251-280	275	210	165	130	...	...	...	...	3
281-330	290	215	170	135	110	...	...	...	3
331-390	300	220	175	140	115	105	...	...	3
391-420	310	225	180	145	120	105	...	...	4
421-480	320	230	185	150	125	110	105	...	4
481-510	330	235	190	155	130	110	105	...	5
511-570	340	240	195	160	135	115	110	105	5
571-600	350	240	200	165	140	120	110	105	6
<i>Separate Girls' Schools.</i>									
201-250	205	155	110	90	...	...	...	...	2
251-280	220	165	115	95	...	...	...	...	3
281-330	235	170	120	100	85	...	...	...	3
331-390	250	175	125	105	90	85	...	...	3
391-420	260	180	130	110	90	85	...	...	4
421-480	270	185	135	115	95	90	85	...	4
481-510	280	190	140	120	100	90	85	...	5
511-570	290	195	145	125	105	95	90	85	5
571-600	300	200	150	130	110	100	90	85	6
<i>Separate Infants' Schools.</i>									
201-250	180	130	90	85	...	...	...	...	2
251-280	190	135	95	85	...	...	...	...	3
281-330	195	140	100	90	85	...	...	...	3
331-390	200	145	105	95	90	85	...	...	3
391-420	205	150	110	100	90	85	...	...	4
421-480	210	155	115	105	95	90	85	...	4
481-510	215	160	120	110	100	90	85	...	5
511-570	220	165	125	115	105	95	90	85	5
571-600	225	170	130	120	110	100	90	85	6

These scales are subject to the modifications and conditions specified in paragraphs (d), (e), (f), and (g) of Part I. of this Schedule.

The salaries payable to pupil-teachers shall be such as are specified in Part I. of this Schedule.

PART III.—SIDE SCHOOLS.

A main school is a mixed school or a separate school to which a side school is attached.

A side school is a school attached to a main school and distant more than a quarter of a mile, but not more than three miles therefrom, to which there are admitted pupils only up to a class not higher than Standard IV. or up to an age not higher than eleven.

In the case of a main school with a side school or schools, in computing the staff and salaries the average attendance at the main school and the side school or schools shall be added together; but for each side school either an assistant at £90 may be substituted for a pupil-teacher, or a pupil-teacher may be added to the combined staff, at the discretion of the Board; nevertheless, a pupil-teacher shall not be placed in charge of a side school.

PART IV.—SEPARATE BOYS' AND GIRLS' DEPARTMENTS.

If the average attendance exceeds 660 in any mixed school in which boys and girls are taught in separate departments, in each such department an assistant at £90 may be substituted for a pupil-teacher, or a pupil-teacher may be added to the staff, at the discretion of the Board.

PART V.—PART-TIME SCHOOLS.

A part-time school is one of a group of schools taught by the same teacher, each school being situated in general at least three miles from any other school of the same group, and being open for not less than eight hours a week on the average, all the schools of the group being open for not less than twenty hours a week in the aggregate.

In estimating salaries all the schools of a group consisting of two or more part-time schools shall be counted as one school, the totals of the average attendance at the several schools of the group being added together; and if the teacher of such group of part-time schools be required by the Education Board to teach on six days during the week (provided he teaches in general for at least twenty-four hours in each week), his salary shall be increased by one-fifth of the salary shown in Part I. hereof.

PART VI.—SECONDARY DEPARTMENTS OF DISTRICT HIGH SCHOOLS.

Scale of Staff and Salaries.

Average Attendance of Secondary Department.	Salaries payable to the Teachers in the Secondary Department.										Amount payable to Head Teacher.
	£	£	£	£	£	£	£	£	£	£	
12-20	150	...	...	...	...	...	...	...	...	...	20
21-30	180	...	...	...	...	...	...	...	...	...	30
31-50	190	125	...	...	...	...	...	...	...	...	40
51-70	200	135	...	...	...	...	...	...	...	...	45
71-105	220	165	135	...	...	...	...	...	...	...	50
106-140	230	180	150	135	...	...	...	...	...	...	55
141-175	240	190	165	150	135	...	...	...	...	...	60
176-210	250	200	180	165	150	135	...	...	...	...	60
211-245	260	210	190	180	165	150	135	...	...	...	60
246-280	270	220	200	190	180	165	150	135	...	...	60
281-315	280	230	210	200	190	180	165	150	135	...	60

There shall be no pupil-teachers in the Secondary Department of a District High School.