

1892.  
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VICTORIA.

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EDUCATION ACT 1890.—REGULATIONS.

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ORDER IN COUNCIL.

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PRESENTED TO BOTH HOUSES OF PARLIAMENT PURSUANT TO SECTION 23,  
ACT No. 1086.

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ALTERATION OF REGULATIONS.

*At the Executive Council Chamber, Melbourne, the fifth day of April, 1892.*

PRESENT:

His Excellency the Governor.

Mr. Shiels		Mr. Turner
Mr. McLean		Mr. Peacock
Mr. Wheeler		Mr. Davis.
Mr. Outtrim		

**W**HEREAS by section 23 of the *Education Act 1890* (54 Vict. No. 1086) it is enacted that the Governor in Council may from time to time make and rescind regulations for all or any of the purposes therein mentioned, and generally for carrying the said Act into effect: Now therefore His Excellency the Governor, acting by and with the advice of the Executive Council, doth by this Order rescind Regulations Nos. III. and XIX. of the Regulations made under the provisions of the Act aforesaid by Order in Council bearing date the sixteenth day of October, 1890, and doth make the Regulations following in lieu thereof respectively, viz.:—

III.—PAYMENTS BY WAY OF RESULTS.

1. Payments by way of results will be made to head teachers and assistant teachers upon examination of their schools by an inspector in the subjects specified in the course of free instruction.

2. The maximum payment which any teacher can obtain by way of results will be an amount equal to one-half of his fixed salary.

3. In order to entitle the teachers of any school to this maximum—

- (i) Every scholar who has attended the school during any part of the two weeks preceding such visit must be presented for examination, unless prevented from attending by any unavoidable cause, such as—
  - (a) Removal from the district;
  - (b) Suffering from severe bodily accident or sickness, or being excluded on account of infectious disease at home;

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- (c) Flooded state of the roads;
- (d) Death of a near relative.

Scholars who, within the two months immediately previous to the inspector's visit, have resumed attendance after exclusion from school for at least two months on account of infectious disease need not be taken into account in calculating the percentage unless the teacher so desire.

- (ii) The inspector must be satisfied—

- (a) That every scholar has a satisfactory knowledge of the work of the class in which he is enrolled, and has made adequate progress, and that singing and drawing and the special lessons mentioned in the General Notes to Regulation I. have been satisfactorily taught.

Scholars over seven years of age in Class I. who have been not less than twelve months on the roll, must be presented for individual examination. Other scholars in that class may be so presented if their attainments be satisfactory.

Children (1) who have been less than six months in their class, or (2) have attended less than half the number of possible attendances during the six months preceding the examination, need not be taken into account in calculating the percentage, but should be examined to test their classification and progress; provided that of the children due for examination in any school the number excluded from examination on the foregoing grounds shall not exceed during the year 1890 twenty per cent., during the year 1891 fifteen per cent., and during subsequent years ten per cent. In the case of the children included under (1) above, who have been promoted less than six months prior to the examination, the inspector must be satisfied that their promotion was necessary or desirable; and in the case of those included under (2) above the irregularity of attendance must be satisfactorily explained. A satisfactory explanation would be one which showed that the irregularity was in no measure due to negligence or want of energy or tact on the part of the head teacher.

- (b) That the names and ages of the scholars are stated correctly in the rolls.
- (c) That the scholars are properly classified.

- (iii) The average age of the scholars examined individually in Class 1 must not exceed 8 years; the average age of the scholars in Class 2 must not exceed 9 years; of those in Class 3, 10 years and 6 months; of those in Class 4, 12 years; and of those in Class 5, 13 years and 6 months.

- (iv) In special cases where considerable progress is shown no deductions will be made on account of the average age of any class exceeding that specified in the preceding clause. "Considerable progress" shall be thus defined for this purpose—

- (a) The scholars to be properly classified and to pass well, gaining not less than 80 (eighty) per cent. of the possible passes, exclusive of the merit grant.
- (b) The infants to be efficiently taught on a proper system.
- (c) Of the children presented for individual examination, excluding those who have been previously examined in the sixth class, not less than 75 (seventy-five) per cent. shall be presented for examination in a higher class than that in which they were presented in the preceding year.

4. Not more than 90 per cent. of the marks obtained by any school shall be granted for compliance with the conditions specified above under 3 (ii). The remaining 10 per cent. shall be awarded according to the degree of merit shown in the following respects, viz.:—

- (a) State of premises, furniture, apparatus, and supply of requisites.

- (b) Arrangement of school work (including time-table), distribution of staff, supervision, and classification.
- (c) Style of work at examinations and inspections, progress (as shown by percentage of promotions), presence of a Sixth class where practicable, &c.
- (d) Discipline and tone.

5. Marks will be withdrawn for individual scholars and for classes failing to comply with any of the required conditions. Provided that if the classification and progress are satisfactory—

- (1) No deduction will be made for the excessive age of scholars in part-time schools ;
- (2) That in full-time schools the age of any pupil who has been less than 12 months on the rolls of the school may be disregarded.

6. The result payment made to the teachers will be in the same ratio to the maximum as the number of marks actually awarded to the school is to the number which might have been obtained ; provided that in schools having more than one teacher entitled to result payment, any such teacher who has displayed marked inefficiency may be paid on some lower percentage of the maximum than that awarded to the school.

7. Any change in the amount payable for results, consequent upon an examination of the school, will take effect from the first day of the month succeeding that in which the examination is held.

8. In new schools result payments will be based upon a percentage of 80 until the school shall have been examined for results ; but the payments upon that percentage will cease from the last day of the month in which the examination takes place.

9. The examination of a school for results will be held annually, and, as far as practicable, in the same month of the year.

#### XIX.—DRILL AND GYMNASTICS.

1. Allowances, by way of results, will be made to teachers who may be appointed in accordance with the provisions of the *Public Service Act 1890* to give instruction in military drill, subject to the following conditions :—

- (a) That the teacher giving the instruction hold a certificate of qualification from the Department, or have passed in the written work of the examination for such certificate, and have not failed or refused to submit to examination in the art of teaching drill, or have passed an examination in Parts I. and II., Field Exercise, before a military board.
- (b) That every class receiving instruction be taught for not less than one hour per week at the time specified in the school time-table.
- (c) That the pupils exhibit a fair amount of proficiency.

2. The maximum allowance that may be obtained will be as follows :—

Where the Average Attendance at Drill Class is—				First Teacher.	Second Teacher.	Third Teacher.
				£	£	£
	Under 50	...	...	10	...	...
Not less than 50	but under 100	...	...	15	...	...
"	100	"	150	...	15	10
"	150	"	200	...	15	15
"	200	"	250	...	15	15
						10

and so on ; but teachers of drill will not be appointed to schools with an allotment based upon an average attendance of less than 50 pupils, and only boys in classes above the Second will be included in estimating the attendance by which the number of teachers of drill will be determined.

3. Any qualified teacher of drill may be required by the Department to take charge either of a drill class or (with the approval of the Defence Department) of a cadet detachment in his own school.

4. The payments to a teacher of drill may at any time be discontinued should the allotment be based on an attendance of less than 50 pupils, or should the attendance at the drill class render necessary a reduction in the number of teachers of drill.

5. The proportion of the maximum allowance to be paid to each teacher of drill will be determined upon examination by an inspector or other officer appointed for the purpose ; but in schools which have not been examined in drill, 80 per cent. of the maximum allowance will be paid until the first of such examinations takes place.

6. When gymnastics are taught by a qualified instructor appointed in accordance with the provisions of the Public Service Act, an allowance at the rate specified in clause 2 above will be paid, subject to the foregoing regulations respecting military drill, so far as they are applicable.

And the Honorable Alexander James Peacock, Her Majesty's Minister of Public Instruction for Victoria, shall give the necessary directions herein accordingly.

G. WILSON BROWN,  
Clerk of the Executive Council.