

# AN ROINN OIDEACHAIS.

OIDEACHAS NÁISIÚNTA  
NATIONAL EDUCATION

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## RULES

FOR

## NATIONAL SCHOOLS

UNDER THE

DEPARTMENT OF EDUCATION.

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(c) In replying to an official letter its date and reference number should be given.

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\*The examination of any classes of candidates and the examination for admission to any of the Colleges may be suspended in any year, or years.

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## RULES FOR NATIONAL SCHOOLS

UNDER THE

### DEPARTMENT OF EDUCATION.

I, P. Ó hRíghilá, Minister for Education, hereby make with, where necessary, the concurrence of the Minister for Finance, the following Rules for National Schools under the Department of Education.

#### PREFACE

The rights and duties of citizens of the State in the matter of Education are set forth in Articles 42 and 44.2.4<sup>o</sup> of the Constitution of Ireland (Bunreacht na hÉireann) as follows:—

#### ARTICLE 42.

1. The State acknowledges that the primary and natural educator of the child is the family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.
2. Parents shall be free to provide this education in their homes or in private schools or in schools recognised or established by the State.
3. 1<sup>o</sup> The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school designated by the State.  
2<sup>o</sup> The State shall, however, as guardian of the common good, require in view of actual conditions that the children receive a certain minimum education, moral, intellectual and social.

4. The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good requires it, provide other educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation.
5. In exceptional cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural and imprescriptible rights of the child.

#### ARTICLE 44. 2.4°

Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending religious instruction at that school.

In pursuance of the provisions of these Articles the State provides for free primary education for children in national schools, and gives explicit recognition to the denominational character of these schools.

#### INTRODUCTORY

*In these rules:—*

*the expression "the Minister" means the Minister for Education;*

*the expression "the Department" means the Department of Education and includes officers duly authorised to act on behalf of the Minister;*

*the expression "national school" means a school recognised as such by the Minister for Education;*

*the expression "primary education" in relation to secular instruction means education up to the end of standard VI in the programme prescribed or approved for national schools;*

*the expression "education" in relation to secular instruction means instruction up to the end of standard VI in the programme prescribed for national schools and it may include instruction in the prescribed programme for standards VII and VIII in national schools, or instruction*

*in an alternative programme approved under the terms of rule 72(1) or approved instruction, given in national schools, in the programme prescribed for secondary schools;*

*the expression "prescribed" means prescribed by the Minister for Education;*

*the expression "approved" means approved by the Minister for Education;*

*the expression "recognised" means recognised by the Minister for Education.*

*Words importing the masculine gender include the feminine gender unless the contrary intention appears.*

#### CHAPTER I.

#### THE SYSTEM OF NATIONAL EDUCATION.

1. Provision for education in prescribed or approved programmes for children between the ages of four and eighteen years is made in schools recognised by the Minister as national schools. Subject to the terms of rule 67 such education shall be free.

2. These Rules do not discriminate between schools under the management of different religious denominations nor may they be construed so as to affect prejudicially the right of any child to attend a national school without attending religious instruction at that school.

3. State aid for the establishment of a new national school may be granted on application by the representatives of a religious denomination where the number of pupils of that denomination in a particular area is sufficient to warrant the establishment and continuance of such school.

4. As an alternative to the establishment of a national school, aid may be granted towards defraying the cost of conveying children to a suitable national school.

## CHAPTER II.

## GENERAL RULES.

**Schools aided by the Minister.**

5. The schools aided by the Minister are divided as follows:—

- (1) vested schools, including
  - (a) those vested in the Minister\*, and
  - (b) those vested in trustees, under deeds to which the Minister is a party, for the purpose of being maintained as national schools†;
- (2) non-vested schools.

**Vested Schools.**

6. Vested schools must be used exclusively for the education of the pupils attending them, unless with the special approval of the Minister.

**Non-vested Schools.**

7. No control is exercised by the Minister over the use of non-vested schools outside school hours, the control over such use being left to the patrons or managers, subject to the intervention of the Minister should circumstances so warrant, and subject in particular to the terms of rule 9(3) below.

**School in a Place of Worship.**

8. The use of a place of worship for school purposes is sanctioned only in exceptional circumstances and as a temporary measure; in all such cases, the prior approval of the Minister must be obtained.

**Use of Schools for Election Purposes.**

9. (1) At a contested Dáil Election or Presidential Election or Local Election or at a Referendum, any room in a school may be requisitioned by the appropriate Returning Officer for such election, free of charge, for the purpose of taking the poll.

(2) A schoolroom may also be used for public meetings at reasonable times outside school hours by candidates at an election of Members of Dáil Éireann between the issue of the writ and the day of the poll under the provisions of section 30 of the Electoral Act 1923 (See Schedule III).

\* The practice of vesting new schools in the Minister is discontinued.

† Included under (a) and (b) are schools vested in either the former Commissioners of National Education or the National Education Commissioners, and in trustees under deeds to which those Commissioners were a party.

(3) No political meeting may be held nor may any political business be transacted in schools, whether vested or non-vested, except as provided in sections (1) and (2) of this rule, and no meeting in connection with a local election may be held therein.

**No Child Refused Admission on Account of Social Position.**

10. No child may be refused admission to a national school on account of the social position of his parents, nor may any pupil be kept apart from the other pupils on the ground of social distinction.

**Inspection of Schools.**

11. The Minister and persons authorised by him may visit and examine the schools whenever they think fit.

**Visits of School Attendance Officer.**

12. A school attendance officer appointed under the School Attendance Act 1926 and duly authorised by his School Attendance Committee, and an officer or member of the Garda Síochána duly authorised to act as a school attendance officer under that Act, must be permitted to examine, at convenient times during school hours, the roll book and register of any national school in his area, and to make such extracts regarding the ages, names, residences and attendances of the pupils and the average daily attendance at the school, as he may require for the purpose of carrying out his duties under the Act.

**Visitors to National Schools.**

13. (i) Any person may, with the manager's permission, visit a national school during school hours for the purpose of observing the ordinary working of the school but such visitor may not interfere with the business of the school or divert the attention of the teachers or pupils from their work. Visitors are not permitted to examine any of the school records and should a visitor seek information which is not available from observation of the working of the school it is the duty of the teacher to refer him to the manager.

(ii) Managers may give to visitors only such information regarding the school as would come within the scope of legitimate enquiry.

(iii) Parents may be given such extracts from the school records regarding the attendance or treatment of their children as might reasonably be expected.

(iv) Where any doubt or difference arises as to the information which may be supplied to visitors or parents the final decision shall rest with the Minister.

### CHAPTER III.

#### PATRONAGE AND MANAGEMENT OF SCHOOLS

##### The Patron.

14. (1) Trustees of a vested school or recognised school committees constituted in accordance with the regulations set out in Schedule I or other suitable person may be recognised as patron.

(2) The Minister for Education for the time being is patron of the Model Schools.

(3) The patron may manage the school himself or may nominate a suitable person to act as manager.

(4) Subject to the approval of the Minister, the patron may, at any time, resume the direct management of the school, or may nominate another manager.

(5) In the event of a vacancy in the patronship by death, the successor of a clerical patron may be recognised as patron.

(6) The patron of a national school on residing out of Ireland for a continuous period of twelve calendar months is regarded as having ceased to hold office.

##### The Manager.

15. (1) The manager of a national school is charged with the direct government of the school, the appointment of the teachers, subject to the Minister's approval, their removal and the conducting of the necessary correspondence.

(2) The manager is the person or body of persons recognised as manager by the Minister. Save in exceptional circumstances, a person not resident in the locality will not be recognised as manager.

(3) The manager must be a clergyman or other suitable person or body of persons.

(4) Every person or body of persons on first recognition as manager must give an undertaking in writing that the Rules for National Schools shall be complied with.

(5) When a school committee is recognised as manager, one of its number should be nominated by the committee to act as correspondent.

(6) Joint managers may be recognised, and in that event the returns for the schools, agreements etc., should be signed by each of the managers unless they agree that one of them shall act as correspondent.

(7) Where the joint managers disagree about teachers, programmes, or other details of management, the matter in dispute shall be decided by the Minister.

(8) If the manager finds himself unable to fulfil his duties as manager he should nominate or arrange to have nominated some suitable person resident in the locality for recognition as temporary manager until such time as he is able to resume his managerial duties.

(9) The Minister may withdraw recognition from a manager for failure to observe the Rules or if it should appear that the educational interests of the district require it, but such recognition will not be withdrawn without consultation with the manager and other interested parties.

##### Managers should visit their schools frequently.

16. Managers should visit their schools frequently, and should satisfy themselves that the Rules for National Schools are being complied with. They are required to certify the correctness of the school returns furnished to the Department, and to make the necessary local arrangements for holding the Primary Certificate Examination and the other examinations conducted by the Department.

##### Payments to Teachers.

17. (1) The school returns furnished in connection with the claims for payment of salaries must be examined and checked by the manager, and the certificate printed on such returns must be signed by him without alteration as a condition of payment of salaries.

(2) Where the payment of salary to the teacher would be delayed owing to the inability of the manager to sign the school returns these returns may be certified by the local inspector or by a local resident approved by the Minister.

(3) Whenever a manager advances money to a teacher on account of salary payable by the Minister, he should obtain a receipt which should state that the payment is on account of such salary, in order to have a proper voucher to produce to the Department for recoupment.

##### Managers to Notify Changes of Teachers, etc.

18. (1) (a) The managers are required to submit without delay all proposed changes of teachers to the Department for approval.

They are also required to notify all proposed changes of teachers to the inspector.

(b) If a manager appoints a teacher without prior official approval, the Minister may refuse payment of salary for any service given by such teacher.

(2) On the appointment of a principal, vice-principal, assistant teacher or junior assistant mistress, other than the appointment of a temporary teacher for a brief period, the manager must enter into an agreement with the teacher on one of the official forms provided for the purpose.

There are four forms of agreement, numbers 1, 2, 3 and 4. Copies of these forms are available from the Department as required.

(3) If an agreement has not been executed with a newly appointed teacher payment of salary may be suspended until an agreement has been executed.

#### **Insurance of School Premises and Furniture.**

19. The manager must arrange that the school premises and furniture be insured adequately against damage by fire. Where such insurance has not been effected, grants will not be made for the purpose of rebuilding or refurbishing in the event of the destruction of the premises or furniture by fire.

#### **Provision of School Library, Prizes, etc.**

20. The Minister desires to urge upon the managers the desirability of

- (a) providing a small library for each school, and a small museum of natural objects, furnished, as far as possible, by the pupils themselves;
- (b) stimulating the school children to greater industry by a system of school prizes to be distributed, not only for literary attainments, but for regularity of attendance, personal tidiness, good conduct, and politeness.

#### **Special Lectures.**

21. Managers are encouraged to invite the assistance of qualified persons to give lectures or talks to the pupils, and thus to diversify the intellectual life of the school.

#### **Changes of Managers.**

22. On a change of managers the new manager must enter into an agreement, on one of the official forms provided, with each member of the teaching staff of the school, and the services of any member of the staff cannot be dispensed with by him except under the terms of this agreement. The new agreement must be executed on the official form bearing the same number (1, 2, 3 or 4) as the previous one, unless by consent of both manager and teacher.

## **CHAPTER IV**

### **GENERAL CONDITIONS FOR RECOGNITION OF NATIONAL SCHOOLS. RECOGNITION OF NATIONAL SCHOOLS FOR SPECIAL PURPOSES.**

23. National schools, whether vested or non-vested, are under local management and are staffed by teachers qualified under the Rules. The

teachers are paid personal salaries except for certain teachers in those convent and monastery national schools where payment is on a capitation basis (see rules 102 and 103). National schools recognised as Model Schools are maintained from State funds and are under the patronage of the Minister.

#### **National Schools for Irish-Speaking Children Only.**

24. (1) Where there are children whose home language is Irish or who otherwise have acquired a good oral knowledge of Irish the Minister may, in special circumstances, grant recognition to a school in which the general training and instruction of the pupils in the subjects of the programme, other than English, will be given in the Irish language, notwithstanding that another national school may already be in operation in the same neighbourhood.

The Minister may require, as a condition for the recognition of a teacher in such school, that the teacher shall possess such qualifications in Irish and other subjects as the Minister may decide to be necessary in the special circumstances of the school.

(2) In order to ensure the general character and purpose of the school as a school in which Irish will continue to be the language of the pupils and of the school, such standard of Irish as the Minister may approve, may be required for admission as a pupil to such a school or for retention as a pupil of the school.

(3) A school devoted specially, with the approval of the Minister, to preparing children for entrance to a school for Irish-speaking children may be regarded for the purpose of rules 100 and 143 as a school recognised under section (1) of this rule.

#### **Research and Practising Schools in connection with Universities.**

25. (1) A school in which the general training and instruction of the pupils in the ordinary subjects of the programme—other than English—are given through the medium of the Irish language, and which is utilised as a research and practising school for teachers and student teachers attending the courses of the Department (or Faculty) of Education within a University Institution may be recognised as a national school.

(2) In order to ensure that the pupils to be admitted to a research and practising school may be suitable, having regard to the general character and purpose of the school, such standard of education, including a knowledge of Irish, as the Minister may approve, may be required in any applicant for admission as a pupil to the school.

#### **Fosterage Schools.**

26. (1) Recognition as national schools may be granted to a limited number of Fosterage Schools situated in intensely Irish-speaking



districts, or in other districts specially approved by the Minister. The schools will be residential unless in exceptional cases, where, by the desire of the parents, children may be allowed to reside adjacent to the school, with families in which Irish is the home language. Irish shall be the language of ordinary use in these schools.

(2) No pupil whose ordinary place of residence is in the neighbourhood of such school can be enrolled therein, unless, in special circumstances, with the sanction of the Minister.

#### Schools or Classes for Handicapped Children.

27. (1) Recognition as national schools may be granted to schools which provide suitable primary education for the various types of physically or mentally handicapped children, subject to such conditions in regard to staffing, time-table arrangements and courses of instruction as the Minister may from time to time prescribe. These schools may be recognised in residential or non-residential institutions.

(2) Special classes for partially deaf, partially sighted or backward children may be established in national schools, subject to such conditions as the Minister may from time to time prescribe.

#### Reformatory and Industrial Schools.

28. Subject to rule 97(9) recognition as national schools may be granted to Reformatory and Industrial Schools in respect of instruction in the programme for national schools.

#### Grant of Aid to a National School.

29. (1) Application for aid for a school must be made on the official form obtainable from the Department. In every case the Minister decides whether aid may be granted, in whole or in part or altogether withheld. As a rule, grants of salary, etc., cannot commence from a date earlier than the first of the month in which such form of application is returned to the Department.

(2) In order to warrant the grant of aid, or the continuance of aid to a school, the Minister must be satisfied that:—

- (a) the school is required as a national school;
- (b) there is reason to expect that an average daily enrolment of at least twenty-four pupils will be maintained (see, however, rules 35 and 36);
- (c) the school is suitable, in good repair, adequately furnished and provided with satisfactory sanitary accommodation;
- (d) there is a suitable fireguard for each open fireplace and adequate protection against burning or scalding from stoves or other

heating apparatus\*, and all other necessary precautions against fire risk;

- (e) no near relative of the manager is appointed a member of the school staff.

#### Withdrawal of Recognition from a National School owing to non-compliance with the Rules.

30. (1) Where the manager of a national school refuses or fails to have any of the official rules, or decisions under them made by the Minister, complied with, the Minister may, subject to the provisions of this rule, withdraw recognition from the school.

(2) The Minister, before deciding under this rule to withdraw recognition from a school, shall give to the manager written notice of his intention to do so after the expiration of three clear months from the date of such notice. Such notice shall specify the rules or the decisions of the Minister thereunder with which the manager has refused or failed to secure compliance and shall state the particulars of the refusal or failure relied on as warranting such withdrawal.

(3) The manager may, before the expiration of the period of notice, make such representations in writing to the Minister as he may think fit and the Minister shall consider any such representations.

(4) Upon the expiration of the period of notice the Minister, having taken into consideration any such representations which may have been made by the manager, may decide to withdraw recognition from the school from such date, not earlier than the date of his decision, as he may think fit. The Minister shall communicate the fact of such decision and the date from which it operates to the manager by written notice. Recognition shall be withdrawn from the school from the date specified in such communication. No grants from State funds shall be paid or payable to the manager or to any teacher or other person in respect of that school in relation to any period subsequent to that date.

(5) The Minister may, at any time, on being satisfied that the official rules and decisions made by him thereunder will be complied with, decide to restore recognition to a school from which recognition has been withdrawn under this rule. Such restoration of recognition shall not, unless the Minister in any particular case so decides, entitle the manager or any teacher or any other person to receive any payment out of State funds in respect of the school in relation to the period subsequent to the

\* Section 15 of the Children Act 1908 contains the following provisions:—  
"If any person over the age of sixteen years who has the custody, charge or care of any child under the age of seven years allows that child to be in any room containing an open firegrate not sufficiently protected to guard against the risk of the child being burnt or scalded, without taking reasonable precautions against that risk, and by reason thereof the child is killed or suffers serious injury, he shall on summary conviction be liable to a fine not exceeding ten pounds".

withdrawal of recognition and prior to the restoration of recognition under this rule. The fact that recognition has been restored and the date from which it is restored shall be communicated to the manager by written notice.

(6) Any written notice under this rule may be sent by ordinary post addressed to the manager at his usual address.

#### **Floor Space Required in Schools.**

31. Fifteen square feet of floor space should be provided for each pupil. In order to prevent overcrowding the Minister may require that the enrolment of pupils shall be restricted so as to allow fifteen square feet for each unit of average attendance.

If the figure of average attendance exceeds the limit for which accommodation is approved under this rule, the Minister may require that the younger pupils shall be excluded from the school; if the limit of average attendance is reached, he may require that pupils under six years of age shall be excluded so as to permit the enrolment of pupils over that age who may seek admission to the school. No pupil required to be excluded under this rule can be permitted to be present in the schoolroom during school hours.

#### **Inscription to be Placed on School.**

32. (1) Every national school should have an inscription containing the name of the school and the words "Scoil Náisiúnta". The inscription on a school in a rural district should include the name of the place or townland in which the school is situated.

(2) When a school is recognised for the first time, or a new school is erected to replace an old one, or an extensive scheme of reconstruction or improvement is effected in a school, the inscription should be in Irish, or, if specially desired by the manager, in Irish and English. The inscription should be so placed as to be in clear view of the public.

(3) The form of the inscription proposed to be placed on a school shall first be submitted to the Minister for approval.

#### **Sanction of Minister for Change of Type of School.**

33. When a school has been recognised as a school for boys or for girls, solely, or as a mixed school, the sanction of the Minister must be obtained for any change in the type of school. A girls' school which provides facilities for the teaching of infant boys—that is in standards up to and including first standard—is not deemed to be a mixed school.

#### **Aid not Granted to Separate Boys' and Girls' Schools unless an Average Enrolment of 60 expected in Each School.**

34. Applications for aid for separate boys' and girls' schools in the same locality in place of a mixed school cannot be acceded to unless there is satisfactory evidence that the average number on rolls in each school will be at least 60.

#### **Application for School where means of Religious Instruction are not available locally.**

35. (1) Where appropriate religious instruction is not available to the children of a particular denomination in a national school within reasonable distance of their homes, the Minister is prepared to consider the question of recognising a school in accordance with the Rules on condition that the average daily enrolment of pupils is not less than 12.

(2) As an alternative to the payment of grants to a school, the Minister may contribute towards the cost of conveying the children to a suitable neighbouring school, provided that the average number of children conveyed will not be less than that required for the recognition and continuance of grants to a school and that the cost will not be greater than the total grants payable in respect of such school.

#### **Aid not Continued to a School where Average Enrolment falls below Eight.**

36. Aid is not continued to a school at which the average daily enrolment falls below eight units for two consecutive school years.

#### **Amalgamation of Boys' and Girls' Schools Adjoining or in Close Proximity.**

37. Separate boys' and girls' schools adjoining or in close proximity and under the same denominational management, at one or both of which there has been for each of two consecutive school years an average daily enrolment of less than 40 pupils, shall be deemed to be amalgamated as from the 1st October of the succeeding school year.

## **CHAPTER V**

### **BUILDING, IMPROVEMENT AND FURNISHING OF NATIONAL SCHOOLS.**

#### **Grants for Vested Schools.**

38. (1) Grants are sanctioned by the Minister towards the cost of building, enlarging, or otherwise improving vested schools, enclosing sites and providing suitable furniture and fittings, teachers' rooms, play-shelters, surfaced playspaces, paths, drains and sanitary accommodation, including a water-carriage system of sanitation where an adequate water supply and a public sewer are available or, if a public sewer is not available, a suitable septic tank system of sewage disposal, where such can be provided at a reasonable cost.

(2) When applied for by managers, grants may be sanctioned towards the cost of the following works:—

- (a) in schools with a recognised staff of seven or more teachers, the provision of assembly halls and of special rooms, such as staff rooms, store rooms, music rooms, libraries and rooms for medical inspection;
  - (b) in schools with four or more teachers, or in adjoining boys' and girls' schools with a combined average enrolment of 160, the provision of a special room for the teaching of domestic economy, or, where taught, of science;
  - (c) sinking wells\* and providing pumps where an adequate supply of water has been obtained at a reasonable cost;
  - (d) provision of cycle sheds;
  - (e) central heating in schools having an average enrolment of less than 160 pupils;
  - (f) provision of separate cloakroom and sanitary accommodation for women teachers employed in boys' schools.
- (3) Grants sanctioned by the Minister are paid by the Commissioners of Public Works out of funds provided by the Oireachtas in the Vote for Public Works and Buildings.
- (4) Applications for grants towards the cost of building vested schools should be made on the appropriate forms which may be obtained from the Department (Primary Branch).
- (5) Before any grant is sanctioned towards the cost of building a school the Minister must be satisfied that
- (a) there is a need for such a school,
  - (b) a suitable site has been procured,
  - (c) a proper lease of the site to trustees for national school purposes will be executed on the approved form,
  - (d) the local contribution stipulated by the Minister will be provided,
  - (e) sufficient local aid will be provided to maintain the school building, premises and equipment in proper structural, decorative and sanitary condition.
- (6) The appropriate provisions of this rule apply also to grants towards the cost of schemes of enlargement or improvement.

#### Necessity for Schools.

39. (1) Grants are not sanctioned for the provision in any district of a school which, in the Minister's opinion, is not required to meet the educational needs of the district.

(2) In rural districts a grant is not sanctioned, except in special circumstances, for the erection of a new school if the proposed site is within three statute miles by road of a national school.

\* All arrangements for sinking wells must be made by managers.

(3) Grants are not sanctioned for the erection of separate boys' and girls' schools in replacement of separate boys' and girls' schools which adjoin or are in close proximity, unless there is an average enrolment of at least 60 pupils in each school.

#### Sites.

40. (1) The area required as a site for a school must have relation to the accommodation to be provided in the school building. As a rule the minimum area that can be accepted is three-quarters of an acre for a two-roomed school; for a larger school a more extensive site will be required. In cities and large towns a smaller site may, in special circumstances, be accepted.

(2) The site should be suitably located in relation to the homes of the children in the district generally. It should be healthy, of open aspect, fairly level and easy of access, and should have a supply of pure water conveniently near. In the selection of sites, applicants are advised to consult the Chief Medical Officer of the local Health Authority.

(3) Grants are not sanctioned towards the cost of obtaining sites for schools or of any abnormal works arising out of clearing, levelling or otherwise rendering suitable, school sites.

(4) The site must be approved by the Minister and the Commissioners of Public Works.

(5) A site in close proximity to a graveyard cannot, as a rule, be approved.

#### Lease of Site.

41. (1) School premises to be vested in trustees must be held in fee simple or at a nominal rent, or must be indemnified by special sureties against any liability for rent. The lease of premises not held in fee simple must be for such term as the Minister may deem sufficient.

(2) The shortest lease that can be accepted in making grants for the erection of new schools is

- (a) for sixty-one years, or
- (b) under the provisions of the Leases for Schools (Ireland) Act 1881, for ninety-nine years when the grantor is a limited owner.

(3) The school premises shall be vested in at least three trustees of whom only one may also be a grantor named in the lease.

(4) The lease of the site will be prepared, free of charge to the applicant, by the legal adviser to the Minister. The responsibility for obtaining satisfactory proof of title, grantor's consent, etc., and for all expenses connected therewith rests on the applicant.

(5) When a grant is sanctioned towards the cost of building a school the lease must be duly executed before final arrangements are made for the erection of the school.

(6) Ground forming part of a leased site must not be utilised otherwise than for national school purposes without the consent of the trustees and the sanction of the Minister.

#### Amount of Grant and Local Contribution.

42. (1) The amount of the grant sanctioned is normally two-thirds of the cost of carrying out the works at a price deemed reasonable by the Minister and the Commissioners of Public Works.

(2) In exceptionally poor localities the Minister may make a larger grant than the normal two-thirds of the cost if he is satisfied, on consideration of the circumstances of the people of the district, that one-third of the cost of the works cannot be contributed locally.

(3) Grants are based, in the first instance, on estimates framed by the Commissioners of Public Works and are subject to such revision as may be necessary when the tenders have been received and examined and again when the actual cost of the works has been ascertained.

(4) A grant cannot be sanctioned towards the cost of building new schools, or of carrying out extensive improvements to schools should the works have been executed or even commenced before the plans and specifications have been furnished or approved by the Commissioners of Public Works and before the specific authorisation of the Commissioners has been given to the applicant.

#### Accommodation.

43. (1) The number and size of the classrooms and of other rooms to be provided are determined by the Minister.

(2) Normally, classroom accommodation is based on an allowance of 15 square feet per pupil.

(3) (a) If an applicant elects to provide accommodation in excess of that determined by the Minister, a supplementary building grant may be sanctioned if the statistics of enrolment at the school for any of the five school years next following show that the larger building is required.

(b) If at the end of the five years the larger enrolment anticipated shall not have been reached, the Minister may consider the sanctioning of a supplementary grant based on the cost of providing accommodation for the difference between the figure of enrolment on which the original grant was based and the actual figure of average daily enrolment.

#### Planning of Schools, Standard Plans, Special Plans.

44. (1) Plans for new schools and for extensions to schools already in operation, whether the work is to be done with the aid of a grant or entirely at local cost, must first receive the approval of the Minister.

(2) Plans and specifications of new schools containing less than seven classrooms and, in normal cases, of alterations to schools already in

operation, are prepared by the Commissioners of Public Works, and applicants are required to adhere strictly to the Commissioners' instructions.

(3) A floor area of approximately 600 sq. ft. is normally allowed for each classroom. In special cases the floor area may be varied with the Minister's approval.

(4) In planning schools a separate classroom should be provided for each teacher on the recognised staff.

(5) For new schools of seven or more classrooms, and where the Commissioners of Public Works so decide, for extensive alterations or additions to schools already in operation, the applicant is required to have the plans and specifications prepared by his own architect. In such cases grants for architects' and quantity surveyors' fees may be allowed. Suggestions for the guidance of managers and architects regarding the planning requirements may be obtained from the Commissioners. Preliminary sketch plans must be submitted for the approval of the Minister and the Commissioners. When the sketch plans have been approved, detailed drawings and specifications must be submitted for the approval of the Commissioners.

If the plan provides for accommodation for a larger number of pupils than the number determined by the Minister or for a more costly type of building than is deemed by him to be necessary, all the extra expense must be borne by the applicant.

#### Arrangements for Tenders, Contracts, Carrying out Works, etc.

45. (1) When grants are sanctioned for the erection of new schools or for schemes of enlargement or substantial alteration at existing schools, the arrangements for carrying out the works are made

- (a) by the Commissioners of Public Works, if the plans and specifications are prepared by them;
- (b) by the applicant, if the plans and specifications are prepared by his own architect in accordance with rule 44(5).

(2) In the cases specified in section (1)(b) of this rule the following provisions shall apply:—

- (a) Competitive tenders for the works must be sought by advertisement in the public press in accordance with the instructions of the Commissioners of Public Works. When the tenders are received they must be submitted to the Commissioners and a tender must not be accepted until the specific authorisation of the Commissioners has been given to the applicant.
- (b) A builder shall be employed and a formal contract made between the applicant and the builder. It shall be an express condition of the contract that the works will be carried out in accordance with the approved plans and specifications and to the satisfaction of the Commissioners of Public Works and within a period to

be specified in the contract. Such period shall not normally exceed 18 months from the date of the receipt by the applicant of the authorisation of the Commissioners of Public Works for the commencement of the building. The applicant shall, on request, submit such contract to the Commissioners of Public Works. The applicant shall, if required, produce vouchers for all payments made by him under the contract and shall supply full evidence as to the amount of the local contribution.

(3) When grants are sanctioned for works of improvement other than those indicated in section (1) of this rule the plans and specifications are prepared by the Commissioners of Public Works and the arrangements for carrying out the works are made by the applicant. If the estimated cost of the works exceeds £500, competitive tenders must be sought by advertisement in the public press; for works estimated to cost between £100 and £500, competitive tenders must be invited from contractors. In every case the tenders must be submitted to the Commissioners of Public Works. The provisions of section (2)(b) of this rule may apply also to works covered by this section.

#### Conditions relating to Grants.

46. Grants are sanctioned on condition that the work executed shall be of good and substantial character. Any departure from the specification or drawings shall entail the removal of inferior work and its re-execution in accordance with specification and drawings. Should this be impracticable, the work shall be totally rejected with consequent disallowance of the grant or, at least, a deduction shall be made from the grant in proportion to the departure from specification and drawings.

#### Schools vested in the Minister for Education.

47. School premises vested in the Minister are maintained by the Commissioners of Public Works. Where schemes of enlargement or improvement are to be carried out at school premises so vested the appropriate provisions specified in rules 38(1) and (2), 42 and 45 apply.

#### Miscellaneous Provisions Relating to Grants.

48. (1) Grants are not sanctioned towards the cost of applied ornament either inside or outside or for any elaborate or extravagant finish to any part of the school building. The cost of special architectural treatment of parts of the structure, where necessary to preserve amenities, e.g. stone or brick facings or dressings, may, however, in approved cases, be allowed to rank for grant.

(2) Non-vested national school premises may be vested in trustees if considered by the Minister to be suitable for vesting; when so vested such schools are eligible for grants in aid under rule 38. New schools may no longer be vested in the Minister.

(3) The Minister reserves to himself the right of accepting repayment of grants made towards the cost of the erection and improvement of a school and, in such case, of removing the school from the list of vested schools.

(4) The trustees of a vested school are required to keep the premises and furniture in good repair at local expense. In vested schools, grants cannot be sanctioned for the execution of any work required to make good any damage arising from neglect or misuse, except in cases specially recommended by the Commissioners of Public Works.

(5) Aid cannot be given in respect of the rent of schools.

## CHAPTER VI

### SCHOOL REQUISITES AND RURAL SCIENCE EQUIPMENT

#### Free Stock Grant.\*

49. (1) A grant towards the provision of a first stock of school requisites is made to each school in proportion to the average number of children on rolls. (See Schedule XI).

(2) When an unsuitable school has been superseded by a suitable one or when a considerable enlargement or structural improvement of a school has been effected, a special free stock grant may be made.

(3) Subject to sections (1) and (2), a grant towards the provision of cookery utensils is made to schools in which cookery is taught. (See Schedule XI).

(4) Requisites purchased out of the free stock grant should be kept as a school stock, and may not be taken out of the school.

(5) Money expended on furniture, apparatus, or repairs cannot be taken into account in deciding a claim for a special free stock grant.

#### School Books and other Requisites.

50. An adequate stock of books and other requisites should be purchased for the use of the school and for sale to the pupils.

#### Rural Science Equipment.

51. (1) Sets of equipment may be supplied to schools in which instruction is given in Rural Science or Nature Study.

(2) In a school previously equipped, where the equipment has become inadequate, a set or part set may be supplied at the discretion of the Minister. Replacements arising from loss and breakage will not be supplied, and must be provided locally.

\* A list may be obtained from the Department indicating the type of school requisite towards the purchase of which this grant may be applied.

(3) A set of assorted garden seeds will be made available annually to schools teaching Rural Science.

(4) A teacher shall take strict care of the school requisites and equipment and make suitable arrangements for their safe custody.