

## New Zealand.



### ANALYSIS.

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| <p><b>Title.</b></p> <p>1. Short Title.</p> <p style="text-align: center;"><i>Department of Education.</i></p> <p>2. Officers of Department.</p> <p style="text-align: center;"><i>Education Boards.</i></p> <p>3. Division of district into wards.</p> <p>4. Electors of wards.</p> <p>5. Existing members.</p> <p>6. Retiring members.</p> <p>7. Amendments of principal Act.</p> <p>8. Powers of Boards enlarged.</p> <p>9. Disqualification of members of Board.</p> <p style="text-align: center;"><i>Appointment and Salaries of Teachers.</i></p> <p>10. Appointment of teachers.</p> <p>11. Teaching-staff. Teachers' salaries.</p> <p>12. Amendment of section 63 of principal Act.</p> <p style="text-align: center;"><i>Scholarships.</i></p> <p>13. Section 68 of principal Act amended.</p> <p>14. Scholarship age.</p> | <p style="text-align: center;"><i>District High Schools.</i></p> <p>15. Teaching-staff at district high schools.</p> <p style="text-align: center;"><i>Manual and Technical Instruction.</i></p> <p>16. Appointment of managers.</p> <p>17. Accounts and audit.</p> <p style="text-align: center;"><i>School Committees.</i></p> <p>18. Committee failing to meet to cease to exist.</p> <p style="text-align: center;"><i>Inspection of Schools.</i></p> <p>19. Inspection of schools by Board's Inspectors.</p> <p style="text-align: center;"><i>Miscellaneous.</i></p> <p>20. Borough Council may establish secondary or technical schools.</p> <p>21. Normal or training schools.</p> <p>22. Repeal.</p> <p>23. Commencement of Act.</p> <p style="text-align: center;">Schedule.</p> |
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1905, No. 45.

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

[30th October, 1905.]

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.

#### *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.

(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.

*Education Boards.*

Division of district  
into wards.

3. (1.) The Board of each district shall from time to time cause the district to be divided into three 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 :

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

(2.) In making such division the Board shall have regard to the natural geographical grouping of the schools, and, in particular, each city, borough, or school district 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.

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

Electors of wards.

4. (1.) The members for each ward shall be elected by the members of the Committees of the school districts within such ward, and each member of the Committee shall have one vote in respect of each school (other than a side school) in the school district.

(2.) Section thirteen of the principal Act is hereby repealed.

Existing members.

5. The members in office on the passing of this Act shall continue in office until their successors come into office, and shall then retire from office, but shall be eligible for re-election.

Retiring members.

6. (1.) In every succeeding year one of the members for each ward then in office shall retire, but shall be eligible for re-election.

(2.) The members to retire shall be those who have served longest on the Board without re-election, and where any question arises as to which members shall retire the same shall be decided by the lot of those members who have served longest without re-election.

Amendments of  
principal Act.

7. (1.) Section sixteen of the principal Act is hereby amended by repealing the words "twenty-second" in subsection two, and substituting in lieu thereof the words "twenty-first."

(2.) Section twenty-three of the principal Act is hereby amended by inserting after the words "number of votes" the words "in each ward," and by adding at the end of the section the words "as members of the Board for the several wards."

(3.) Section twenty-six of the principal Act is hereby amended by inserting after the word "elected" the words "for each ward."

(4.) Section twenty-nine of the principal Act is hereby amended by repealing the words "in the Third Schedule hereto," and substituting in lieu thereof the word "prescribed."

(5.) Section thirty of the principal Act is hereby amended by repealing all words after the words "hereinbefore provided," and substituting in lieu thereof the words "shall hold office until the election of their successors."

(6.) Section thirty-one of the principal Act is hereby repealed.

(7.) Section thirty-four of the principal Act is hereby amended by repealing the words "nine persons not being nominated," and substituting in lieu thereof the words "three persons not being nominated for any ward."

(8.) The Third Schedule to the principal Act is hereby amended by repealing the forms of nomination-paper and voting-paper.

8. Section forty-seven of the principal Act (relating to the powers and duties of Boards) is hereby amended as follows:— Powers of Boards enlarged.

(a.) By inserting after the word "remove" the words "Inspectors and other"; and

(b.) By inserting after the words "district high schools" the words "may arrange for the conveyance of children to and from school."

9. Section thirty-six of the principal Act is hereby amended by inserting, after the words "with his creditors," the words "or cease to reside in the education district." Disqualification of members of Board.

#### *Appointment and Salaries of Teachers.*

10. 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.) The Board shall send to the Chairman of the Committee, so as to reach him in the ordinary course of post not later than ten days before the day on which the appointment is to be made,—

"(i.) A list containing the names of all those teachers who are applicants for appointment to a vacancy;

"(ii.) A list containing not more than six names (in order) of teachers whom the Board considers best fitted to fill such vacancy, stating the length of service and other qualifications of each such teacher; and

"(iii.) The application and testimonials of each teacher whose name appears on such last-mentioned list:

And the Board shall at the same time notify the Committee on what day it proposes to make the appointment:

"Provided that if no applications for appointment have been invited or received, it shall be sufficient for the Board to send the list last mentioned.

"(b.) The Committee shall, if the number of names in the last-mentioned list is four or more, select two of the candidates so submitted, and shall in writing notify the Board, not later than three days before the day on which the appointment is to be made, of the selection so made, and the Board shall appoint one of the two teachers whose names have been so selected and submitted.

"(c.) If the number of names in the last-mentioned list is less than four, the Committee shall select one of the candidates for appointment, and shall, in writing, notify the Board, not later than three days before the day on which the

appointment is to be made, of the selection so made, and the Board shall appoint the teacher so selected.

“(d.) If no such notification has been received within the time aforesaid, the Board may proceed to make the appointment.

“(3.) Pending the result of such consultation, the Board may (if necessary) appoint a temporary teacher for any period not exceeding three months.

“(4.) Notwithstanding anything in subsection two hereof, the Board may, on the recommendation or with the consent of the Committee, appoint any teacher, although the Committee has not been consulted in the manner prescribed.”

**Teaching-staff.**

11. (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 a teacher appointed before the coming into operation of this Act shall not, so long as he remains in the same position, receive a salary lower than he would have been entitled to under “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.

**Amendment of section 63 of principal Act.**

12. Section sixty-three of the principal Act is hereby amended by inserting after the words “or prevent” the words “the Board or.”

*Scholarships.*

**Section 68 of the principal Act amended.**

13. 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, to the satisfaction of the Board, at a secondary school or its equivalent approved by the Board.”

14. Section seventy-four of the principal Act is hereby amended as follows:—

- (a.) 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”;
- (b.) By adding to paragraph (j) the words “or until the holder attains the age of seventeen years”; and
- (c.) By adding the following paragraph:—
- “(m.) A Junior National Scholarship shall not be held by any one who is at the same time the holder of any other scholarship.”

Scholarship age.

*District High Schools.*

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

Teaching-staff at district high schools.

- (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.
- (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.
- (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.
- (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.
- (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.
- (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.

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

*Manual and Technical Instruction.*

Appointment of  
managers.

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

“ 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.”

Accounts and  
audit.

17. 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.”

*School Committees.*

Committee failing  
to meet to cease to  
exist.

18. If at any time any School Committee fails from any cause for a period of three months to hold a meeting it shall cease to exist, and the Board shall proceed as in the case of the failure of the householders to elect a Committee, and the provisions of sections one hundred and fourteen and one hundred and fifteen of the principal Act shall, *mutatis mutandis*, apply.

*Inspection of Schools.*

Inspection of  
schools by Board's  
Inspectors.

19. Section one hundred and sixty-one of the principal Act is hereby amended by repealing the words “ be inspected,” and by adding at the end of the section the words “ be inspected by Inspectors appointed by the Board.”

*Miscellaneous.*

Borough Council  
may establish  
secondary or  
technical schools.

20. Any Borough Council may from time to time establish, equip, and maintain out of its ordinary funds or otherwise technical or secondary schools; and the establishment and equipment of any such school shall for all purposes be deemed to be a public work.

Normal or training  
schools.

21. Section six of the principal Act is hereby amended by repealing the words “ already established and under their control ” in paragraph (c).

Repeal.

22. Section eight of the principal Act is hereby repealed.

Commencement  
of Act.

23. This Act shall come into operation on the first day of January, one thousand nine hundred and six.

## 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.	
			£	£	£	£	£	£	£	£	£	£	£	£			
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	421-480	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	871-930	390	250	210	200	180	160	140	130	120	110	95	85				9
28	931-960	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.

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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.

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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 by the nearest road 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.

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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.