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[1909.]

*Education Act 1890, No. 1086.*

*Teachers Act 1905, No. 2006.*

## REGULATIONS RESCINDED.—REGULATIONS MADE IN LIEU THEREOF.

*At the Executive Council Chamber, Melbourne, the eighth day of April, 1909.*

### PRESENT:

His Excellency the Governor of Victoria.

Mr. Graham  
Mr. Watt

Mr. Brown.

WHEREAS by section 23 of the *Education Act 1890* (54 Vict. No. 1086) and sections 10 and 35 of the *Teachers Act 1905* (5 Edw. VII., No. 2006), 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 Acts into effect: Now therefore His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby rescind Regulations No. V. and No. VII. of the Regulations made under the *Education Act 1890*, No. 1086, and sections 10 and 35 of the *Teachers Act 1905*, No. 2006, and in lieu thereof doth make the following Regulations No. V. and No. VII. under section 23 of Act No. 1086, and sections 10 and 35 of Act No. 2006 as amended by section 4 of the *Teachers Act 1909*, No. 2175, that is to say:—

### REGULATION V.—STAFFS, APPOINTMENTS, AND TRANSFERS OF TEACHERS, AND MAINTENANCE ALLOWANCES.

1. No person shall be permanently employed in a school as head teacher, assistant teacher, or relieving teacher unless he shall hold a Trained Teacher's Certificate, a First-class Certificate, a Second-class Certificate, a Certificate of Competency, a Licence to Teach, or approved equivalent.

2. Head teachers may be appointed to or retained in schools in accordance with the following scale:—

A head teacher of the First Class in a school with an average attendance exceeding 600 pupils.

A head teacher of the Second Class in a school with an average attendance exceeding 350 pupils.

A head teacher of the Third Class in a school with an average attendance exceeding 150 pupils.

A head teacher of the Fourth Class in a school with an average attendance exceeding 60 pupils.

A head teacher of the Fifth Class in a school with an average attendance exceeding 30 pupils.

A head teacher of the Sixth Class in a school with an average attendance exceeding 18 pupils.

A head teacher of the Seventh Class in a school with an average attendance not exceeding 25 pupils.

*Note.*—To avoid frequent changes of teachers it shall not be deemed necessary, unless the public interest requires it, to transfer a teacher because the attendance at his school somewhat exceeds that to which a teacher of his class is usually appointed, or in which such a teacher may be retained.

3. Assistant teachers, junior teachers, and sewing mistresses may be appointed to or retained in schools in accordance with the following scale:—

	ASSISTANTS.											Junior Teachers.	Sewing Mistresses.
	Male.					Female.							
	Class.					Class.							
III.	IV.	V.	VI.	VII.	II.	III.	IV.	V.	VI.	VII.			
Under 35	...	...	...	...	...	...	...	...	...	...	...	1	...
35 to 50	...	...	...	...	...	...	...	...	...	...	...	1	1
50 to 70	...	...	...	...	...	...	...	...	...	...	...	1	1
70 to 110	...	...	...	...	...	...	...	...	1	...	...	1	1
110 to 150	...	...	...	...	...	...	...	...	1	...	...	2	2
150 to 190	...	...	...	...	...	...	...	...	1	...	...	1	2
190 to 230	...	...	...	...	...	...	...	1	...	...	...	1	3
230 to 280	...	...	...	...	...	...	...	1	...	...	...	1	5
280 to 320	...	...	...	...	...	...	...	1	...	1	...	1	5
320 to 370	...	...	1	...	...	...	...	1	...	...	...	1	6
370 to 410	...	...	1	...	...	...	...	1	...	1	...	1	6
410 to 460	...	...	1	...	...	...	...	1	...	1	1	1	7
460 to 500	...	...	1	...	1	...	...	1	...	1	...	1	7
500 to 550	...	...	1	...	1	...	...	1	...	1	...	1	8
550 to 590	...	1	...	1	...	...	...	1	...	1	1	1	8
590 to 640	...	1	...	1	...	1	...	...	1	1	1	1	9
640 to 680	...	1	...	1	...	1	...	...	1	1	1	1	10
680 to 730	...	1	...	1	...	1	...	...	1	2	...	1	10
730 to 770	...	1	...	1	...	1	...	...	1	2	...	1	11
770 to 820	1	...	1	1	...	1	...	1	1	1	1	1	11
820 to 860	1	...	1	1	...	1	...	1	1	1	1	1	12
860 to 910	1	...	1	1	...	1	...	1	1	2	1	1	12
910 to 950	1	...	1	1	...	1	...	1	1	2	1	1	13
950 to 1000	1	...	1	1	...	1	1	1	1	1	2	1	13
1000 to 1040	1	...	1	1	...	1	1	1	1	1	2	1	14
1040 to 1090	1	...	1	1	1	1	1	1	1	1	2	1	14
1090 to 1130	1	...	1	1	2	1	1	1	1	1	2	1	15
1130 to 1180	1	...	1	1	1	1	1	1	1	2	2	1	15
1180 to 1220	1	...	1	1	1	1	1	1	1	2	2	1	16
1220 to 1270	1	...	1	2	1	1	1	1	1	2	2	1	16

And thereafter, one female assistant of the Seventh Class, and one junior teacher alternately, for each increase in average attendance of 50 pupils and 40 pupils respectively.

4. (a) In schools with an average attendance exceeding 150 pupils, a male assistant of the Sixth Class may, subject to the approval of the Director, be substituted for a male assistant of the Seventh Class.

(b) If, in the opinion of the Director, the requirements of a school justify such a course, a male assistant of the Sixth or the Seventh Class respectively may, with the approval of the Minister, be appointed in place of a female assistant of the corresponding class and *vice versa*.

(c) In schools with an average attendance exceeding 150 pupils, a female assistant of the Sixth Class who holds an Infant Teacher's Certificate may be substituted for a female assistant of the Seventh Class.

(d) In amalgamated schools, or in schools held in two buildings situated at a distance from one another, an additional assistant or an additional junior teacher may be appointed.

5. Should the number of teachers of any given class which would be required for the staffs of schools as allotted by sections 2 and 3 above exceed the number of teachers in such class as determined in Part I. of the First Schedule to Act No. 2175, a teacher of a lower class may be appointed to or retained in any school in the position of head teacher or assistant as the case may be.

6. The number of teachers employed in any school will be increased or reduced from time to time as the average attendance for the two months immediately preceding may render necessary; but in cases where the attendance has been reduced by the prevalence of sickness or other exceptional cause, the normal average attendance will be taken as a basis.

7. In the case of a new school, a staff of teachers will be allotted upon the expected attendance at the school.

8. (a) Vacancies in schools for head teachers and assistants will be advertised from time to time in the *Education Gazette and Teachers' Aid*, and teachers desiring to apply for such vacancies shall make application on a form supplied for the purpose by the Department. Any teacher who desires to claim the privilege contained in section 22 (3) of Act No. 2006, *i.e.*:—"A teacher whose record of work is good and who has served for at least five years in an outlying district shall be considered as having special claims to transfer from such district," must make a special application to the Classifiers, accompanied by a recommendation from the district inspector. The Classifiers will register such applications, and give them due weight when making nominations to vacancies.

(b) Teachers in classes above the Fifth Classes may be required to furnish from time to time on a prescribed form a list of the schools to which they desire to be appointed, whether as head teachers or assistants, and whether by way of transfer only or transfer accompanied by promotion. The applications contained in these forms will be registered, and teachers will be required to take up any positions to which they may be nominated in accordance with such applications.

9. No person appointed or promoted to the office of teacher in any school shall within two years from the date of such appointment or promotion be transferred to a vacancy in his own or any lower class in any other school unless the Director certifies that it is desirable that such teacher should be transferred.

10. No teacher employed in a woodwork or cookery centre shall be eligible to apply for transfer to a position other than as a teacher of woodwork or cookery respectively until he or she has served for a period of at least four years as a teacher of woodwork or cookery (as the case may be) unless the Director certifies that it is desirable that he or she should be so transferred.

11. Qualified candidates may be appointed to positions as teachers of woodwork or cookery. Priority of appointment shall be determined by the Director upon the results of the work done by such candidates during their period of training in woodwork or cookery respectively and the general character of their work as teachers.

12. Whenever and so long as the teaching staff of a school is reduced below its proper strength by the death, resignation, absence on leave, or transfer of any assistant or junior teacher employed in a school, or by the withdrawal of a First-class junior teacher to act temporarily as assistant or head teacher, the head teacher of the school may, subject to the approval of the Minister, appoint a temporary junior teacher in the stead of each assistant or junior teacher deceased, resigned, absent on leave, transferred, or withdrawn.

13. During the absence of, or pending the permanent appointment of, a sewing mistress, the head teacher may, subject to the approval of the Minister, and provided the average attendance is sufficient, appoint a temporary sewing mistress.

14. In addition to their salaries, head teachers of day schools will be paid monthly allowances for maintenance expenses, according to the following scale, subject to an equitable deduction in the case of schools that become connected with a sewerage system. *NOTE*.—Special payments will be made in the case of schools held in orphanages.

(a) At any school where an infant-school building and drill-hall shall have been erected subsequent to the 1st January, 1907, the head teacher of the school may,

with the sanction of the Minister, be granted a special allowance to meet the extra cost of maintenance.

#### FULL-TIME SCHOOLS.

In Schools with an Average Attendance of—			Rate per Annum.		
			£	s.	d.
Under 20 scholars	...	...	7	5	0
20 but under 30	...	...	9	5	0
30 " 50	...	...	11	0	0
50 " 75	...	...	13	15	0
75 " 100	...	...	16	5	0
100 " 125	...	...	19	0	0
125 " 150	...	...	21	10	0
150 " 175	...	...	24	0	0
175 " 200	...	...	26	15	0
200 " 225	...	...	29	10	0
225 " 250	...	...	32	5	0
250 " 275	...	...	34	10	0
275 " 300	...	...	37	5	0
300 " 325	...	...	40	0	0
325 " 350	...	...	42	15	0
350 " 400	...	...	46	0	0
400 " 450	...	...	49	10	0
450 " 500	...	...	53	0	0
500 " 550	...	...	56	5	0
550 " 600	...	...	59	15	0
600 " 650	...	...	63	5	0
650 " 700	...	...	66	15	0
700 " 750	...	...	70	5	0
750 " 800	...	...	73	10	0
800 " 850	...	...	77	0	0
850 " 900	...	...	80	10	0
900 " 950	...	...	84	0	0
950 " 1,000	...	...	87	5	0
1,000 " 1,050	...	...	90	15	0
1,050 " 1,100	...	...	94	5	0
1,100 " 1,150	...	...	97	10	0
1,150 " 1,200	...	...	101	5	0
1,200 " 1,250	...	...	105	0	0
1,250 " 1,300	...	...	108	0	0
1,300 " 1,350	...	...	111	5	0
1,350 " 1,400	...	...	114	15	0
Above 1,400 in proportion.					

NOTE.—Where a school is sewered, the allowance will be reduced.

#### PART-TIME SCHOOLS.

In Schools with an Average Attendance of—			Rate per Annum.		
			£	s.	d.
Under 30 scholars	...	...	10	5	0
30 but under 50	...	...	12	5	0

The average attendance during the six months ending the 30th April and 31st October in each year will be generally adopted as the basis for determining the allowances from 1st July and 1st January respectively next ensuing; but in cases where exceptional fluctuations in attendance have occurred, the average attendance of any other month or months may, with the sanction of the Minister, be adopted.

15. In consideration of the above allowances, the head teacher will be **required**—

- (a) To have the floors of all school-rooms, class-rooms, porches, out-offices, &c., properly swept and thoroughly scrubbed out, the walls brushed down, and the paint washed with sufficient frequency to keep the rooms clean and healthy. To keep all eaves, spouting, down-pipes, and iron tanks free from leaves and dirt, and all drains clean and free from stop-pages.

- (b) To provide water for the use of the children for drinking and washing; also drinking cups, soap, basins, and towels.

- (c) To keep the chimneys and windows clean, and all locks, latches, stoppers to basins, keys and handles, &c., to doors and cupboards and glass in windows in proper repair.

- (d) To keep properly emptied, disinfected, and attended to, the pans in earth-closets, and the cess-pits where there are no earth-closets, and also urinals.

- (e) To provide pens, penholders, ink, slate-pencils, chalk, sewing materials, and all stationery (except copy-books).

- (f) To provide fuel for warming the school-rooms, and to keep them properly warmed.

All articles must be provided, and the duties specified must be performed, to the satisfaction of any officer of the Education Department who may be authorized by the Minister of Public Instruction to visit and examine the schools. On leaving a school, the teacher will be required to furnish a report signed by his successor and himself as to the condition in which everything is left.

16. Teachers in charge of State schools, and in receipt of the allowance for maintenance expenses provided and fixed by section 14 above, are required to keep a detailed account of the expenditure of the allowance for carrying out the requirements set forth under the various heads of section 15 above. This account should show fully the items and amounts of expenditure, and be accompanied, where practicable, by vouchers for each item, duly receipted by the persons entitled to payment. It should be available for the information and perusal of the district inspector or other authorized officer of the Department, and of the Board of Advice.

17. An allowance of 2s. 6d. per meeting will be made to head teachers of State schools in which Boards of Advice hold their meetings; and, in consideration of such amount, they will be required to provide lights and fires when necessary, and to supply pens, ink, &c.

#### REGULATION AS TO SUBSTITUTION OF "JUNIOR TEACHER" FOR "PUPIL TEACHER," AND AS TO INTERPRETATION OF "FIRST CLASS SCHOOL," &c.

Wherever the words "pupil teacher" or "pupil teachers" respectively occur the words "junior teacher" and "junior teachers" respectively shall be substituted; and wherever reference is made to a First, Second, Third, Fourth, Fifth, Sixth, or Seventh Class School it shall be read and construed as meaning a school to which under normal conditions a head teacher of the First, Second, Third, Fourth, Fifth, Sixth, or Seventh Class (as the case may be) may be appointed under Regulations made in accordance with the provisions of the Teachers Acts 1905 and 1909.

## REGULATION VII.—APPOINTMENT AND TRANSFER OF JUNIOR TEACHERS AND SEWING MISTRESSES.

### JUNIOR TEACHERS.

1. Candidates for appointment as junior teachers must, if boys, be not less than 14 years of age, and, if girls, not less than 15 years of age. They must (1) have obtained a Certificate of Merit; or (2) have passed the Matriculation examination or the Primary examination, or any one of the Public examinations of the University of Melbourne, or some approved examination of equivalent difficulty; or (3) have been holders of State school scholarships. They must furnish satisfactory evidence that they are of good moral character and of good general health. They must further produce a certificate from the head teacher of a State school or other approved school that they exhibit aptitude and general suitability for the work of a teacher.

Prior to appointment, candidates must furnish certificates from the Government Medical Officer or other approved qualified medical practitioner that they are of sound constitution, and are free from any physical defects, especially of vision and of hearing, likely to impair their usefulness as teachers.

2. Candidates who have attended for two years at a continuation school for junior teachers and have passed a satisfactory examination in the course of study, and pupils who, prior to admission to a continuation school, have passed the Junior Public or some higher examination of the Melbourne University, and have attended for one year at a continuation school for junior teachers, and have passed a satisfactory examination in the course of study, shall be held to have preferential claim over all other candidates for appointment to such vacancies as may exist for junior teachers, or to such vacancies as may occur during the year next succeeding the annual examination at which they qualified for appointment. Upon appointment, such qualified pupils shall, without further examination, be classified and paid as junior teachers of the third class.

Such candidates shall be appointed in order of merit as determined by the reports of the head master of the continuation school taken in conjunction with the results of the annual examination at the school.

The Director shall have power to reserve vacancies for junior teachers in anticipation of the candidates above-mentioned qualifying for the position of junior teacher.

When a vacancy cannot be filled by a candidate who holds the qualification referred to in Section 2 above, and when there is more than one qualified candidate for such vacancy, the appointment shall be determined by competitive examination.

3. The competitive examination referred to in the preceding section will be an examination to test the candidate's aptitude for teaching and general suitability for the work of a teacher. It may include, at the discretion of the inspector, an examination in one or more of the subjects prescribed for the Sixth Class (Regulation I.). In awarding the marks, the candidate's age, physique, general health, and freedom from physical defects, such as imperfections of sight or of hearing, will be taken into account. Due weight will be given to reports from head teachers as to the zeal, ability, and intelligence shown by candidates when working as monitors, or when assisting, in order to gain experience as teachers.

4. The inspector will place the names of the candidates in order of merit, and the names of such candidates as are meritorious shall be entered in the *Employment*

*Register* in the same order. Such order of merit and record shall remain in force, as regards the school or schools with respect to which such examination is held, for a period of six months, or for such further period, not exceeding twelve months in all, as the Director may deem expedient.

5. Where there is no junior teacher recorded for transfer, and only one qualified and eligible candidate for any vacancy, the name of such candidate shall be entered on the *Employment Register* for that vacancy. No such candidate shall, however, be appointed junior teacher until he has received satisfactory reports as to his conduct and efficiency from his head teacher and the district inspector.

6. Candidates for any present or immediately prospective vacancy may be presented to the district inspector for examination for qualification at any ordinary visit of inspection.

7. Junior teachers in excess of the staff allowed by the regulations may be transferred by the Director to any suitable vacancy.

A junior teacher on his own application may be transferred by the Director to a vacancy which cannot be filled by a candidate who holds the qualification referred to in section 2 above.

### SEWING MISTRESSES.

8. Candidates shall not be less than seventeen years of age, and must furnish, with their applications, satisfactory evidence as to good character and suitability, and, prior to appointment, as to sound health.

9. When there is no person recorded for transfer and only one qualified candidate for any vacancy, the Director shall, if satisfied that the candidate is competent to perform the duties of the position, inform the Committee of Classifiers thereof, who shall enter the name of the candidate on the *Employment Register* for that vacancy.

10. When there is no person recorded for transfer and there are more candidates than one, a competitive examination shall be held in reading, writing (including dictation and composition), arithmetic, grammar, and geography for the Third Class in State schools, as provided for by the regulations in force for the time being, in all kinds of needlework required from girls in State schools, and in teaching such needlework, and any of the other programme subjects for the First and Second Classes.

The inspector shall arrange the names of the candidates in their order of merit as determined by the examination, and report to the Director for the information of the Committee of Classifiers, who shall enter in the *Employment Register* the name of the first candidate, provided she prove duly qualified.

11. Sewing mistresses may be recorded by the Director for transfer, in the following order:—

First—Sewing mistresses in schools that have been closed or whose services have been discontinued through alteration in the average attendance.

Second—Sewing mistresses recorded for transfer—

(i.) In the public interest;

(ii.) On the ground of ill-health, attested by satisfactory medical evidence;

(iii.) For some other satisfactory reason.

And the Honorable Alfred Arthur Billson, His Majesty's Minister of Public Instruction for the State of Victoria, shall give the necessary directions herein accordingly.

F. W. MABBOTT,  
Clerk of the Executive Council.