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STATUTORY INSTRUMENTS

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**1994 No. 2104**

**EDUCATION, ENGLAND AND WALES**

The Education (Grant-maintained Special Schools)  
(Initial Governing Instruments) Regulations 1994

*Made* - - - - - *6th August 1994*  
*Laid before Parliament* *9th August 1994*  
*Coming into force* *1st September 1994*

**THE EDUCATION (GRANT-MAINTAINED SPECIAL SCHOOLS)  
(INITIAL GOVERNING INSTRUMENTS) REGULATIONS 1994**

1. Citation and commencement
2. Initial instrument of government
3. Initial articles of government
4. Provisions of the initial articles of government having effect on incorporation

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**SCHEDULE 1 — INITIAL INSTRUMENT OF GOVERNMENT**

1. Interpretation
2. First governors
3. Power of Secretary of State to replace first governors and to make provision with respect to the filling of vacancies
4. Disqualification for holding office as first governor
5. Parent governors
6. Teacher governors
7. Procedure for the election of parent and teacher governors
8. Appointment of parent governors by the Governing Body
9. Head teacher
10. Appointment of additional governors
11. Tenure of office: first governors
12. Tenure of office: parent and teacher governors
13. Tenure of office: general
14. Resignation and removal from office
15. Disqualification for holding office: persons under eighteen years of age
16. Disqualification for holding office: bankruptcy etc.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

17. Disqualification for holding office: criminal convictions
18. Disqualification for holding office: absence from meetings
19. Chairman and Vice-chairman of the Governing Body
20. Removal from office of the Chairman of the Governing Body
21. Clerk to the Governing Body
22. Convening of meetings of the Governing Body
23. Termination and adjournment of meetings
24. Quorum
25. Minutes of meetings etc.
26. Public access to meetings
27. Publication of minutes and papers
28. Proceedings of the Governing Body
29. Restrictions on persons taking part in proceedings
30. Establishment and constitution of committees of the Governing Body
31. Proceedings and meetings of committees
32. Restrictions on persons taking part in proceedings of the Discipline and Staff Committees
33. Delegation of functions
34. Delegation of functions to the Chairman and Vice-chairman in cases of urgency
35. Reporting to Governing Body following the exercise of delegated functions
36. Constitution of appeal committees dealing with the exclusion of pupils
37. Constitution of appeal committees dealing with staff discipline matters

**APPENDIX 1 — RESTRICTION ON PERSONS TAKING PART IN PROCEEDINGS OF THE GOVERNING BODY**

1. (1) In this Appendix— (a) any reference to a person...
2. (1) Subject to sub-paragraph (4) below, if a person has...
3. (1) This sub-paragraph applies where a person is present at...
4. If a person being a pupil or his parent, is...
5. (1) Where the Clerk to the Governing Body is present...
6. If a person who is a relative (other than a...
7. (1) This paragraph applies where a person employed at the...

**APPENDIX 2 — PROCEEDINGS AND MEETINGS OF COMMITTEES**

**APPENDIX 3 — CONSTITUTION OF APPEAL COMMITTEES**

1. An appeal pursuant to arrangements made by the Governing Body...
2. An appeal committee shall consist of— (a) one person nominated...
3. The Governing Body shall not nominate under paragraph 2(a) above...
4. In an appeal committee— (a) three members shall be nominated...
5. A person is eligible to be a lay member for...
6. (1) Subject to sub-paragraphs (2) and (3) below, the persons...
7. A person shall not be a member of an appeal...
8. (1) Subject to sub-paragraph (2) below, the members of an...
9. The members of the appeal committee shall select a person,...
10. The Governing Body shall have power to pay to the...
11. An appeal pursuant to joint arrangements made by virtue of...

**SCHEDULE 2 — INITIAL ARTICLES OF GOVERNMENT**

1. Interpretation
2. General responsibilities of the Governing Body and the Head Teacher with respect to the conduct of the School
3. Curriculum: general

4. Curriculum: complaints
5. Admissions: arrangements for admission of pupils to the School
6. Discipline: general duties in relation to pupils
7. Exclusion of pupils
8. Reinstatement of excluded pupils
9. Appeals against decisions permanently to exclude pupils
10. Publication of information relating to the procedure on exclusion appeals
11. Annual report to parents
12. Annual parents' meeting
13. Terms, holidays and sessions
14. School premises
15. Appointment of the head teacher and deputy head teacher
16. Appointment of staff other than the head teacher and deputy head teacher
17. Staff: discipline
18. Staff: suspension
19. Staff: dismissal
20. Staff: grievance procedures
21. Staff: induction and training of teaching staff
22. Duty to make available copies of the instrument and articles of government

**APPENDIX — APPEAL COMMITTEES: PROCEDURE**

1. This Appendix shall have effect with respect to the procedure...
2. An appeal shall be made by notice in writing setting...
3. (1) Subject to sub-paragraph (2) below, an appeal committee shall...
4. (1) An appeal committee shall afford the appellant the opportunity...
5. In the event of a disagreement between the members of...
6. The decision of an appeal committee and the grounds on...
7. (1) Subject to sub-paragraph (2) below, in the case of...
8. All appeals shall be held in private except when otherwise...
9. Two or more exclusion appeals may be combined and dealt...
10. Subject to paragraphs 2 to 9 above, all matters relating...
11. (1) Subject to sub-paragraph (2) below, where joint arrangements for...

Explanatory Note