

## SCHEDULE 1

*(introduced by section 2)*

### RELEVANT PROPOSALS

#### *Closure*

- 1 (1) A proposal to permanently—
  - (a) discontinue a school, or
  - (b) discontinue—
    - (i) all the nursery classes in a school, or
    - (ii) a stage of education in a school (apart from a nursery class).
- (2) A proposal to permanently—
  - (a) discontinue the provision of Gaelic medium education in all the nursery classes in a school that also provides a nursery class through English medium education, or
  - (b) discontinue the provision of Gaelic medium education in a stage of education (apart from a nursery class) in a school that also provides the stage of education through English medium education.
- (3) A proposal to permanently—
  - (a) discontinue the provision of English medium education in all the nursery classes in a school that also provides a nursery class through Gaelic medium education, or
  - (b) discontinue the provision of English medium education in a stage of education (apart from a nursery class) in a school that also provides the stage of education through Gaelic medium education.
- (4) For the purpose of this paragraph a proposal to make arrangements of the sort mentioned in sub-paragraph (5) (however described) is to be regarded as a proposal to discontinue (as the case may be)—
  - (a) the school,
  - (b) all the nursery classes in the school,
  - (c) a stage of education in the school (apart from a nursery class), or
  - (d) the provision of Gaelic or English medium education in all the nursery classes or a stage of education (apart from a nursery class) in the school.
- (5) The arrangements are such arrangements in respect of the school or a stage of education in the school as would (if they were implemented) result, or be likely to result, in the permanent discontinuation of (as the case may be)—
  - (a) the school,
  - (b) all the nursery classes in the school,
  - (c) a stage of education in the school (apart from a nursery class), or
  - (d) the provision of Gaelic or English medium education in all the nursery classes or a stage of education (apart from a nursery class) in the school.
- (6) If a proposal—
  - (a) by virtue of sub-paragraph (4) falls within this paragraph, and
  - (b) also falls within another paragraph of this schedule except paragraph 10,the proposal is to be regarded as falling within this paragraph only.

*Establishment*

- 2 A proposal to establish—
- (a) a new school, or
  - (b) a new stage of education in a school.

*Relocation*

- 3 A proposal to relocate (in whole or in part) a school or nursery class.

*Admission arrangements*

- 4 A proposal to vary any admission arrangements for a school including—
- (a) a proposal to establish, terminate or otherwise alter the catchment area of a school, and
  - (b) a proposal to make or modify guidelines in respect of the handling of placing requests.

*Transfer from primary to secondary school*

- 5 A proposal to vary the arrangements for the transfer of pupils from a primary school to a secondary school.

*Primary school commencement date*

- 6 A proposal to change the school commencement date of a primary school.

*Special class outwith a special school*

- 7 A proposal to vary arrangements for the constitution of a special class in a school other than a special school.

*Transport to denominational school*

- 8 A proposal to discontinue arrangements for the provision of transport by the education authority for pupils attending a denominational school.

*Changing from denominational to non-denominational school*

- 9 A proposal to change a denominational school into a non-denominational school.

*Discontinuance of a further education centre*

- 10 (1) A proposal to discontinue a further education centre which is managed by the education authority.
- (2) For the purpose of this paragraph, a “further education centre” is an institution for the provision of further education.
- (3) But it does not include a centre wholly or mainly for the provision of social, cultural and recreational activities (or any of such activities) or a centre for provision of courses of education in the evening only.

*Meaning of expressions used in this schedule*

- 11 (1) In this Act, a reference to any school that is affected by a proposal is to—
- (a) every school which the proposal directly concerns, and
  - (b) any other school which would be significantly affected in consequence of the proposal (if implemented).
- (2) So (for example) an affected school is—
- (a) a school which it is proposed be discontinued,
  - (b) a school to which the education authority proposes to transfer some or all of the pupils of a discontinued school,
  - (c) a school in respect of which it is proposed to alter the catchment area (including where that is the result of the discontinuance of another school),
  - (d) a school from which it is proposed to transfer pupils as a result of the establishment of a new school.
- (3) But a school is not an affected school solely because it would be likely to become the subject of placing requests as a consequence of the implementation of a proposal.
- 12 For the purposes of this schedule and schedule 2—
- “catchment area” has the meaning given in section 28A(3D) of the 1980 Act,
  - “denominational school” is a school of a type referred to in section 21 of the 1980 Act,
  - “English medium education” means teaching by means of the English language,
  - “Gaelic medium education” means teaching by means of the Gaelic language (as spoken in Scotland),
  - “nursery class”, “primary education”, “secondary education” and “further education” are to be construed in accordance with section 135(1) and (2) of the 1980 Act,
  - “primary school” and “secondary school” are schools where primary and secondary education respectively are provided (whether or not exclusively),
  - “school commencement date” has the meaning given in section 32(1) of the 1980 Act,
  - “special school” has the meaning given in section 29(1) of the Education (Additional Support for Learning) (Scotland) Act 2004 (asp 4) and “special class” is a class of the kind described there,
  - “stage of education” means—
    - (a) a yearly stage of—
      - (i) primary education, or
      - (ii) secondary education,
    - (b) a nursery class in a school, or
    - (c) a special class in a school which is not itself a special school.