2002 No. 2105

EDUCATION, ENGLAND

The Education (School Performance Targets) (England) (Amendment) (No. 2) Regulations 2002

Made - - - - -	*8th August 2002*
Laid before Parliament	*9th August 2002*
Coming into force - -	*1st September 2002*

In exercise of the powers conferred on the Secretary of State by sections 19 and 54(3) of the Education Act 1997(**a**), the Secretary of State for Education and Skills hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as the Education (School Performance Targets) (England) (Amendment) (No. 2) Regulations 2002 and shall come into force on 1st September 2002.

2. In these Regulations, "the principal Regulations" means the Education (School Performance Targets) (England) Regulations 1998(**b**).

Amendment

3. The principal Regulations shall be amended as follows.

4. In regulation 2 (Interpretation)—

(a) in the definition of "NC tests" the words "mathematics or science" shall be omitted and the words "mathematics, science or information and communication technology" substituted;

(b) after the definition of "second key stage pupils" there shall be inserted the following—

""teacher assessment" means assessment by a teacher, made in accordance with the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 1999;"; and

(c) in the definition of "vocational qualification" there shall be omitted—

(i) the comma after the words "RSA Examinations", and

(ii) the words "and approved by the Secretary of State under section 400 of the 1996 Act or section 37 of the 1997 Act".

5.—(1) In paragraph (2) of regulation 3A (Targets for pupils in the third key stage), after the words "administered" there shall be inserted "or, where sub-paragraph (d)(ii) of paragraph (3) below applies, in teacher assessments to be made,".

(**a**) 1997 c. 44; section 19 was amended by the School Standards and Framework Act 1998 (c. 31), section 140(1) and Schedule 30, paragraph 213. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(**b**) S.I. 1998/1532; amended by S.I. 1999/2267, S.I. 2001/827, S.I. 2001/2994 and S.I. 2002/840.

(2) In paragraph (3) of regulation 3A—

(a) for the words "such tests", wherever they appear, there shall be substituted "NC tests";

(b) at the end of sub-paragraph (b) the word "and" shall be omitted; and

(c) in sub-paragraph (c), after the word "science" there shall be inserted—

"; and

(d) the percentage of the relevant group of third key stage pupils to achieve level 5 or above—

(i) in NC tests in information and communication technology, or

(ii) where such NC tests are not in place, in teacher assessments of information and communication technology".

6. In sub-paragraph (5)(aa) of regulation 6 (Publication of performance information)—

(a) at the end of paragraph (ii) the word "and" shall be omitted;

(b) after paragraph (iii) there shall be inserted—

"(iv) the percentage of registered pupils at or near the end of the final year of the third key stage who achieved level 5 or above in NC tests in information and communication technology, or, where such NC tests are not in place, in teacher assessments of information and communication technology; and".

David Miliband
Minister of State,
Department for Education and Skills

8th August 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Performance Targets) (England) Regulations 1998 so as to require a target to be set additionally in information and communication technology for pupils in the final year of the third key stage and for the targets and corresponding attainment results to be published.

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