Western Australia

School Education Act 1999

School Education (Student Residential Colleges) Regulations 2017

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Western Australia

School Education (Student Residential Colleges) Regulations 2017

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School Education Act 1999

School Education (Student Residential Colleges) Regulations 2017

Part 1 — Preliminary matters

1. Citation

These regulations are the *School Education (Student Residential Colleges) Regulations 2017*.

2. Commencement

These regulations come into operation as follows —

(a) Part 1, other than regulation 3 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day after that day.

3. Terms used

In these regulations —

accommodation, for a student at a college, means those facilities and services (not including individual services) necessary for the student, in common with the other students residing at the college, to reside at the college, including the following —

(a) a bed in a room;

(b) common areas;

(c) facilities associated with the room and common areas;

(d) meals;

(e) general care and development of the student;

(f) liaison between the staff of the college and the student's parents;

(g) liaison between the staff of the college and the secondary school where the student is enrolled;

(h) general administration;

Act means the *School Education Act 1999*;

boarding agreement means an agreement that complies with regulations 14 and 15;

Bob Hawke Regional Academic Scholarship means the scholarship awarded to a regional or remote student to attend the Bob Hawke College as a participant in the academic gifted and talented programme;

CEO means the chief executive officer within the meaning given by section 229 of the Act;

college means a student residential college established under section 213B of the Act;

doctor means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

individual services, provided to a student residing at a college, means services provided under regulation 19;

parent, of a child, has the meaning given in section 4 of the Act and includes a person who has reached 18 years of age, who is not a parent of the child as defined in that section, but who is responsible for the child;

secondary school means a school that provides education for children in the 8th to 13th years of their compulsory education period;

staff, of a college, means the people employed to operate or manage the college;

student means a student enrolled at a secondary school.

[Regulation 3 amended: SL 2020/7 r. 4.]

Part 2 — Places at colleges

Division 1 — General provisions

4. Terms used

In this Part —

application means an application for a place;

place means a residential place at a college.

5. Terms of boarding agreements to be made public

The CEO must make the terms of the boarding agreement that applies to and in respect of students who reside at colleges publicly available in a manner decided by the CEO.

Division 2 — Applying for places

6. Applying for a place

(1) In this regulation —

student includes a person in respect of whom an application is made under subregulation (6).

(2) A person who wishes to make an application must —

(a) complete an application to the CEO in writing; and

(b) send it to the college concerned; and

(c) pay an application fee of $50 for the processing of the application.

(3) The CEO, for good reason, may waive the application fee in whole or in part.

(4) The application fee is not refundable.

(5) A person cannot apply for a place at a college for a child unless the person is a parent of the child.

(6) An application may be made for a place for a person who is not a student if the applicant reasonably expects the person will be a student if and when the person starts residing at the college.

(7) An application cannot be made for a place at a college for a student unless the applicant reasonably expects the student will be a student for the whole of the period for which the place is wanted.

(8) An application for a place at the City Beach Residential College, 22 Kalinda Drive, City Beach, cannot be made for a student unless —

(a) the student is, or will be, enrolled as specified in regulation 13(2)(a); or

(b) the student meets all of the criteria in regulation 13(4).

(9) An application must include this information —

(a) the applicant's —

(i) full name; and

(ii) date of birth; and

(iii) contact details; and

(iv) relationship to the student if the application is made on behalf of a student;

(b) the student's —

(i) full name; and

(ii) date of birth; and

(iii) gender; and

(iv) usual place of residence;

(c) the name, usual place of residence and contact details of each of the student's parents;

(d) whether the student is an Australian citizen and, if not, whether the student has a right to reside in Australia;

(e) any countries, outside Australia, of which the student is a citizen;

(f) whether the student is of Aboriginal or Torres Strait Islander descent;

(g) the immunisation status (as defined in the *Public Health Act 2016* section 141A) of the student as recorded on an immunisation certificate (as defined in that section) for the student, issued not more than 2 months before the application is made;

(ga) if the student has a Medicare number, the Medicare number of the student;

(h) the name of the college at which a place for the student is wanted;

(i) the name of the secondary school at which the student is, or is reasonably expected to be, enrolled for the period during which a place at the college for the student is wanted;

(j) details of the educational programme in which the student is, or is reasonably expected to be, enrolled at the secondary school;

(k) if under Part 2 Division 1 Subdivision 1A of the Act the student, while enrolled in an educational programme at the school, will be, or is reasonably expected will be, also participating in one or more courses or be employed as an apprentice or otherwise, details of each such course and of the employment;

(l) the applicant's consent for the CEO to seek and be given information about the student's enrolment and educational programme at the school and about any such course or employment;

(m) the period for which a place at the college for the student is wanted;

(n) if the student was enrolled at a school in the calendar year preceding that period, the name of each such school;

(o) if an application has been made for a place at another college, the name of that college;

(p) such details of any matter, including any medical, physical or psychological condition the student has, as the CEO would reasonably need in order to —

(i) properly provide for the day to day care, welfare and development of the student while at the college; and

(ii) safeguard people residing or working at the college;

(q) details of any court order or statutory provision that applies to or affects the student;

(r) if the student or a parent of the student will be receiving a government subsidy to pay or help pay the costs and charges for residing at a college, the name and amount of the subsidy and the reasons for it;

(ra) if the student has been awarded a scholarship to pay or help pay the costs and charges for residing at a college, the name and amount of the scholarship;

(s) whether, if the application were approved, the applicant would be prepared to enter into a boarding agreement with the Minister in respect of the student.

[Regulation 6 amended: Gazette 19 Jul 2019 p. 2846; SL 2024/181 r. 4.]

7. Objecting to an application or boarding agreement

(1) If a parent of a student has made an application or entered into a boarding agreement for the student, another parent who did not make the application or who did not enter the agreement may object to the application or agreement by giving the CEO written notice of the objection and the reasons for it.

(2) If the CEO receives such a notice, the CEO —

(a) must consider the objection; and

(b) must take into account the following —

(i) any court order or statutory provision that is relevant to deciding who is responsible for the long-term and day to day care, welfare and development of the student;

(ii) the educational needs of the student;

(iii) any other factors relevant to the care, welfare and development of the student;

and

(c) must make reasonable efforts to consult the student's parents; and

(d) may —

(i) refuse the application for a place; or

(ii) if a boarding agreement has been entered into for the student, terminate the agreement, subject to regulation 16(3); or

(iii) dismiss the objection.

8. Withdrawing applications

An applicant may withdraw an application by giving the CEO notice in writing.

9. CEO may ask for certain information and evidence

(1) After receiving an application, the CEO may ask the applicant to give the CEO —

(a) any information required by regulation 6 that has not been provided;

(b) documentary evidence in support of any information required by regulation 6.

(2) The CEO may refuse to further deal with an application until a request made under subregulation (1) is obeyed.

Division 3 — Dealing with applications

10. Term used: application

In this Division —

application means an application made under regulation 6.

11. General provisions on dealing with applications

(1) The CEO must decide applications —

(a) for the City Beach Residential College, in accordance with regulation 13; and

(b) for any other college, in accordance with regulation 12.

(2) If the CEO decides to offer an applicant a place at a college, the offer must —

(a) be made in writing to the applicant; and

(b) include a copy of the draft boarding agreement the applicant must sign if they decide to accept the offer; and

(c) state the date on which the offer will expire, being a date at least 21 days after the date of the offer.

(3) To accept an offer of a place at a college, an applicant must —

(a) sign the draft boarding agreement included with the offer and return it to the CEO; and

(b) pay the security required by the agreement.

(4) The CEO may refuse an application on any ground the CEO thinks fit including but not limited to these —

(a) on the ground there is no vacancy for the student concerned at the college to which the application relates;

(b) whether or not there is such a vacancy, on the ground that the student is not a suitable person to be accommodated at the college.

(5) If the CEO refuses an application, the CEO must advise the applicant in writing of the decision and the reasons for it.

(6) A decision by the CEO to refuse an application is not reviewable.

12. Order in which places for regional colleges to be offered

(1) In this regulation —

isolated student has the meaning given by subregulation (2);

primary criteria has the meaning given by subregulation (3);

regional college means a college other than the City Beach Residential College, 22 Kalinda Drive, City Beach;

secondary criteria has the meaning given by subregulation (4);

WA student means a student —

(a) whose usual place of residence is in the State; and

(b) who is entitled to reside permanently in Australia.

(2) In this regulation an isolated student is a WA student whose usual place of residence is at least 56 km from the nearest secondary school that is a government school, using the shortest route.

(3) For the purposes of this regulation the primary criteria for a student for whom an application for a place has been made are these —

(a) whether the student is a WA student who will be an isolated student if and while they reside at the college;

(b) whether the student is a WA student who resided at the college during the school year immediately before the school year to which the application relates;

(c) whether the student is a WA student and, in the CEO's opinion —

(i) the student would be unable to attend a secondary school if they did not reside at the college; or

(ii) there would be significant practical difficulties for the student to attend a secondary school if they did not reside at the college.

(4) For the purposes of this regulation the secondary criteria for a student for whom an application for a place has been made are these —

(a) whether the student is a WA student who has a sibling —

(i) who has also applied to reside at the college in the school year to which the application for the WA student relates; and

(ii) who resided at the college during the school year immediately before the school year to which the application for the WA student relates; and

(iii) who is also a WA student;

(b) whether the student is a WA student whose usual place of residence is at least 100 km and not more than 350 km from the college, using the shortest route;

(c) whether the student is a WA student who will enter either of the final years of compulsory education in the school year to which the application relates;

(d) whether the student is a WA student who will enter the 7th year of their compulsory education period in the school year to which the application relates;

(e) whether the student is a WA student who, in the school year to which the application relates, is or will be enrolled in an educational programme, not available at any other secondary school at which they could enrol.

(5) This regulation applies to only applications for a place at a regional college.

(6) The CEO must offer applicants places for the students concerned in this order —

(a) those students who satisfy one or more of the primary criteria;

(b) those students who satisfy one or more of the secondary criteria.

(7) The CEO must not offer an applicant a place for a student who does not satisfy any of the primary or secondary criteria unless there is a vacancy at the college after offers made in respect of all students who satisfy one or more of those criteria have been accepted or have expired.

13. Order in which places at City Beach Residential College to be offered

(1) This regulation applies to only applications for a place at the City Beach Residential College, 22 Kalinda Drive, City Beach.

(2) The CEO must not offer an applicant a place at the college unless the applicant meets all of these criteria —

(a) the student is, or the CEO reasonably expects the student will be, enrolled at a school referred to in subregulation (3), in a specialist programme, as defined in the *School Education Regulations 2000* regulation 3(1);

(b) the time to travel by public transport one way between the student's usual place of residence and the college is at least 90 minutes.

(3) The CEO must offer applicants places for the students concerned in this order —

(aa) students enrolled at the Bob Hawke College who are recipients of the Bob Hawke Regional Academic Scholarship;

(a) students enrolled at the Perth Modern School;

(b) students enrolled at the John Curtin College of the Arts;

(c) students enrolled at another secondary school that is a government school.

(4) Despite subregulations (2) and (3), the CEO may offer a student a place at the college if the student meets all of the following criteria —

(a) the student is of Aboriginal or Torres Strait Islander descent;

(b) the student's usual place of residence is in the State;

(c) the time to travel by public transport one way between the student's usual place of residence and the college is at least 90 minutes;

(d) the student is, or the CEO reasonably expects the student will be, enrolled at a secondary school that is a government school;

(e) the student has been awarded a scholarship that will fund some or all of the student's costs and charges for residing at the college for the period during which a place at the college for the student is wanted.

[Regulation 13 amended: SL 2020/7 r. 5; SL 2024/181 r. 5.]

Division 4 — Boarding agreements

14. Boarding agreements

(1) In this regulation —

specified, when used in relation to a boarding agreement, means specified in the agreement.

(2) To be valid, a boarding agreement must comply with this regulation.

(3) A boarding agreement must be in writing and include these terms —

(a) an agreement by the Minister to provide accommodation to the specified student at the specified college for the specified period;

(b) an agreement by each of the student's parents who signs the agreement to do the following —

(i) to pay the specified costs and charges for that accommodation, being those prescribed by subregulation (7);

(ii) to pay those costs and charges in a specified manner, being either a lump sum paid before a specified date or instalments paid before specified dates;

(iii) to reimburse the CEO any expenses incurred by the CEO in providing individual services for the student;

(iv) to pay the Minister the cost of rectifying any damage the student causes to the college or any of the property of the State or the Minister in the college;

(v) to pay $300 as a security for the performance of the obligations under the agreement of the parent and student;

(vi) if more than one parent signs the agreement, to be jointly and severally liable for the payments listed above;

(vii) to inform the CEO in writing within 14 days after any material change occurs to any of the information in the application to which the agreement relates;

(c) a term that states the following —

(i) that the student has a licence to occupy a room and share facilities at the college for the term of the agreement;

(ii) that the licence is personal and not transferable;

(d) terms that reflect or refer to regulations 16 and 17 and 23 to 26.

(4) A boarding agreement may contain an agreement by a parent of the student to assign to the CEO —

(a) specified subsidies or other payments to which the student or a parent of the student is entitled as a result of the student residing at the college; or

(b) specified payments to which the student is entitled as a result of being awarded a scholarship to fund some or all of the student's costs and charges for residing at the college.

(5) A boarding agreement must include the consent of a parent of the student to the staff of the college attending to and, if reasonably necessary, consulting a doctor about, any medical condition of the student that reasonably needs attention.

(6) A boarding agreement may contain any other terms or conditions agreed by the parties to it.

(7) The costs and charges for accommodation that are specified in a boarding agreement must be —

(a) for an overseas student as defined in section 97 of the Act —

(i) for the 2024 school year — $26 202; or

(ii) for a subsequent school year — $26 857;

or

(b) for any other student —

(i) for the 2024 school year — $15 157; or

(ii) for a subsequent school year — $15 536.

(8) If a student does not reside at a college for the whole of a school year, the CEO may reduce the costs and charges payable for the student's accommodation on a pro rata basis.

[Regulation 14 amended: Gazette 31 Jul 2018 p. 2715; 8 Nov 2019 p. 4003; SL 2021/197 r. 4; SL 2023/67 r. 10; SL 2024/181 r. 6.]

15. Boarding agreements to be signed

(1) To be valid, a boarding agreement must be signed in accordance with this regulation.

(2) A boarding agreement must be signed by —

(a) the Minister; and

(b) at least one parent of the student.

(3) A boarding agreement must contain a signed acknowledgment by the student that they will —

(a) obey the code of conduct issued under section 213J of the Act; and

(b) obey the reasonable requests of the staff of the college made in the course of their duties.

16. CEO may terminate boarding agreement

(1) Under this regulation the CEO cannot terminate a boarding agreement on any ground on which the CEO could suspend the student or terminate the agreement under Part 5.

(2) The CEO may terminate a boarding agreement for a student if —

(a) the information in the application form is materially false or misleading; or

(b) the student does not become or ceases to be enrolled at the secondary school specified in that application form as the one at which the student would be enrolled for the period of the agreement; or

(c) a parent who signed the agreement breaches it.

(3) To terminate a boarding agreement, the CEO must —

(a) give each parent who signed the agreement written notice requiring the parent to give the CEO, before a date specified in the notice that is at least 7 days after the date of the notice, reasons why the CEO should not terminate the agreement; and

(b) consider any reasons so given; and

(c) if the CEO terminates the agreement, give each such parent written notice of the termination and the date of termination.

17. Parent may terminate boarding agreement

The parent or parents who signed a boarding agreement may terminate it by giving the CEO at least 14 days' written notice, signed by each of them, of the termination.

18. Effect of terminating boarding agreement

Subject to regulation 26(7) and (8), if a boarding agreement is terminated under these regulations, it ceases to have effect except to the extent it states that any of its terms and conditions survive its termination.

Part 3 — Individual services

19. Minister may provide individual services

(1) The Minister may provide an individual student residing at a college with such services as the Minister considers are appropriate to provide to the student because the Minister, as the provider of accommodation for children living away from home, has responsibilities for those children which their parents would otherwise have and may be unable to fulfil.

(2) Services which the Minister may provide an individual student under subregulation (1) include —

(a) arranging for the student to see a doctor or to receive other medical services or nursing services;

(b) purchasing or supplying medication or medical supplies;

(c) purchasing, supplying or repairing uniforms or other clothing;

(d) purchasing, supplying or hiring items needed by the student when attending school;

(e) tutoring or other academic support services;

(f) counselling services;

(g) facilitating the student's attendance at sporting or cultural events, or organised activities held away from the college;

(h) facilitating the transport of the student to or from the college.

(3) The Minister must not provide services to a student under subregulation (1) without obtaining the prior consent of a parent of the student unless the Minister considers the safety, health, welfare or best interests of the student require the services to be provided without that consent.

20. Costs of individual services

(1) If the Minister provides a student with individual services, the Minister may charge and recover the actual cost of doing so.

(2) The Minister may require a parent of a student to pay the State a reasonable amount as a deposit to be applied by the Minister in payment or part-payment of any such costs.

(3) The Minister must refund to the parent so much of any such deposit as is not so applied by the Minister.

Part 4 — Health and safety

21. Health and safety of students

(1) The staff of a college may take any action that is reasonably necessary to ensure the health and safety of students at the college.

(2) If any of the staff of a college arranges for a student at the college who is a child to be attended to by a doctor without the knowledge of a parent of the student, the CEO must inform a parent of the child of the fact as soon as practicable.

Part 5 — Suspending students and terminating boarding agreements

22. Term used: suspend

In this Part —

suspend, a student from a college, means to suspend the student's entitlement to accommodation at the college under the boarding agreement that relates to the student.

23. Powers to suspend and terminate

(1) In this regulation, the conduct of a student includes —

(a) a failure to obey the code of conduct issued under section 213J of the Act; and

(b) a failure to obey the reasonable requests of the staff of a college made in the course of their duties.

(2) If the CEO believes the conduct or the physical or mental health of a student who is a resident of a college justifies doing so, the CEO may act under subregulation (3).

(3) Actions the CEO may take under this subregulation are —

(a) to suspend the student from the college for not more than 21 days and, if the CEO so decides, to terminate the boarding agreement for the student while the student is suspended; or

(b) to terminate the boarding agreement for the student without having suspended the student.

(4) If a student who is a resident of a college is suspended from attending the secondary school at which they are enrolled, the CEO may suspend the student from the college for a period that is not longer than the period for which they are suspended from attending the school.

(5) If the CEO makes an order under section 94 of the Act in respect of a student, or a student is otherwise excluded or

expelled from attending the secondary school at which they are enrolled, the CEO may terminate the boarding agreement for the student.

24. Suspending students

(1) Before the CEO suspends a student under regulation 23, the CEO must notify the student, and the parent who signed the boarding agreement for the student or, if more than one parent signed, at least one of them, of the following —

(a) the suspension;

(b) when the suspension takes effect

(c) the duration of the suspension;

(d) the reasons for the suspension.

(2) Notice given under subregulation (1) may be given orally but, if it is, must be confirmed in writing.

(3) The CEO's decision to suspend a student is not reviewable.

(4) If under this Part the CEO suspends a student —

(a) the student is not entitled to reside at the college concerned during the suspension; and

(b) the liability under the boarding agreement to pay the costs and charges specified in the agreement continues during the suspension.

25. Terminating boarding agreements

To terminate a boarding agreement for a student under regulation 23, the CEO must give the student and each parent who signed the agreement a written notice of the following —

(a) the termination;

(b) the date on which the termination takes effect;

(c) the reasons for the termination;

(d) that any person to whom the notice is given can ask the CEO for a review of the CEO's decision.

26. Review of termination

(1) If under regulation 23 the CEO terminates a boarding agreement for a student, the student, or a parent who signed the agreement, may request a review of the CEO's decision.

(2) A request made under subregulation (1) must —

(a) be made in writing; and

(b) be given to the CEO within 7 days after the date on which the student or parent is notified the agreement is terminated.

(3) A request made under subregulation (1) may ask for a review of any or all of the following —

(a) the merits of the CEO's decision;

(b) whether the CEO followed fair and proper procedures when terminating the agreement.

(4) As soon as practicable after the CEO receives a request made under this regulation —

(a) the CEO must advise the Minister of the need to constitute a Review Advisory Panel under regulation 27; and

(b) having been so advised, the Minister must constitute such a panel under regulation 27; and

(c) the CEO must give the panel —

(i) a copy of the request and any material sent with it; and

(ii) any information or material in the possession or control of the CEO that relates to CEO's decision to terminate the agreement;

and

(d) the panel must review the CEO's decision and give the CEO a written report of its review that includes its recommendations as to whether the CEO should confirm, vary or cancel the decision.

(5) In reviewing the CEO's action —

(a) the panel must give the student concerned, the student's parents and the staff of the college concerned an opportunity to be heard; and

(b) any such person appearing before the panel cannot be represented by, but may be accompanied by, another person, unless the Minister has directed the panel otherwise; and

(c) subject to this regulation and any directions about procedure given to it by the Minister, the panel must determine its own procedure.

(6) As soon as practicable after the CEO receives the Review Advisory Panel's report, the CEO —

(a) must consider it and review the CEO's decision as requested; and

(b) may confirm, vary or cancel the decision; and

(c) must give the applicant written notice of the result of the review.

(7) If under subregulation (6) the CEO varies a decision to terminate a boarding agreement by varying the date of termination to a later date, the agreement is taken to have terminated on that later date and to have continued in effect until terminated on that later date.

(8) If under subregulation (6) the CEO cancels a decision to terminate a boarding agreement, the agreement is taken to have not been terminated by the decision and to have continued in effect despite the decision.

27. Review Advisory Panel

(1) This regulation applies whenever, under regulation 26, the CEO advises the Minister that a Review Advisory Panel is needed for the purposes of that regulation.

(2) The Minister, in writing, must appoint at least 3 persons to constitute the panel.

(3) The persons appointed must include the following —

(a) a nominee of the LINC committee for the relevant college constituted under section 213M of the Act;

(b) a nominee of the secondary school at which the student concerned is or was enrolled immediately before the student's boarding agreement was terminated;

(c) a representative of the community in which the college is situated.

(4) The Minister, in writing, must appoint one of the appointees to chair the panel.

(5) The CEO must provide the panel with such support services as it may reasonably require.

(6) The Minister, in writing, may give the panel directions as to its procedure.

Part 6 — Operation and management of colleges

Division 1 — Disputes and complaints

28. Term used: scheme

In this Division —

scheme means a scheme established under regulation 29.

29. Scheme to deal with disputes and complaints

(1) The Minister, by an instrument published in the *Gazette*, may establish a scheme for dealing with disputes and complaints that arise in relation to the operation or management of colleges.

(2) The Minister must ensure the scheme —

(a) is consistent with, and requires the application of, the principles of procedural fairness; and

(b) does not purport to affect any right a person has in relation to the making of a complaint under any other law; and

(c) does not purport to prevent the CEO from dealing with a complaint or dispute by exercising the powers of an employing authority under the *Public Sector Management Act 1994* Part 5; and

(d) provides for the CEO to prevent a complaint or dispute being dealt with under the scheme if dealing with it under the scheme would be likely to delay, interfere with or jeopardise an inquiry, investigation or proceeding under any other law.

30. Protection of complainants from civil liability

(1) A person is not liable to any civil proceedings in respect of —

(a) making a complaint under a scheme; or

(b) providing information in the course of, or for the purposes of —

(i) the investigation of a complaint under a scheme; or

(ii) a proceeding in respect of such a complaint.

(2) Subregulation (1) does not apply if the complaint was made, or the information was provided, in bad faith.

(3) No civil proceedings are to be brought against a person in respect of an act referred to in subregulation (1)(a) or (b) without the leave of the Supreme Court which must not be given unless the court is satisfied there is substantial ground for the contention that the person has acted in bad faith.

31. Detrimental action against complainant

(1) In this regulation —

detrimental action, against a person, means —

(a) using threats or intimidation to persuade or attempt to persuade the person not to continue with proceedings in relation to a complaint under a scheme; or

(b) refusing to employ, or dismissing, the person or subjecting the person to any detriment, because the person —

(i) has made or intends to make a complaint under a scheme; or

(ii) is taking part, or has taken part, in proceedings in relation to a complaint under a scheme.

(2) A person must not take detrimental action against another person.

Penalty for this subregulation: a fine of $2 000.

Division 2 — Advertising and sponsorship

32. Term used: arrangement

In this Division —

arrangement means a contract or arrangement for advertising or sponsorship in connection with a college under which —

(a) moneys will be paid to a college's General Purposes Fund or to the Student Residential Colleges Fund; or

(b) money, goods, services or facilities will be provided to a member of staff of, or a student at, the college.

33. Duration and form of arrangements

(1) The Minister must not enter into an arrangement that has effect for more than 5 years.

(2) An arrangement valued at $500 or more must be in writing.

34. Contents of arrangements

An arrangement must not do any of the following —

(a) adversely affect, or be likely to adversely affect the safety, health, welfare or best interests of the students at the college;

(b) require the CEO, the department or any member of the staff of, or student at, the college to endorse, recommend or promote any goods or services;

(c) enable a party to the arrangement other than the Minister or the CEO —

(i) to invite students at the college to participate in an activity; or

(ii) to make the arrangement conditional upon student participation in an activity;

(d) provide for any student at the college to participate in an activity unless the student chooses to do so;

(e) restrict competition or require or lead to the exclusive supply by the advertiser or sponsor of goods or services to the college;

(f) promote, or enable the distribution of, goods or services to the department or to any member of staff of, or student at, the college if the consumption of the goods or services is likely to —

(i) conflict with the ethos and values of the college; or

(ii) otherwise adversely affect the college's reputation;

(g) enable the distribution, to students at the college, of materials promoting or endorsing any particular denomination or sect or any political party.

35. Naming rights in arrangements

(1) An arrangement must not provide for the right to name the college.

(2) An arrangement may provide for the right to name —

(a) a facility at the college, including a building or an oval; or

(b) a college activity held at or by the college, including a concert, sporting event, carnival or competition; or

(c) a prize, scholarship or award to be given to a student at, or member of staff of, the college.

36. Arrangements that contravene Division of no effect

An arrangement that contravenes this Division has no effect.

Notes

This is a compilation of the *School Education (Student Residential Colleges) Regulations 2017* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

Compilation table

Citation	Published	Commencement
School Education (Student Residential Colleges) Regulations 2017	18 Sep 2017 p. 4845-75	Pt. 1 (other than r. 3): 18 Sep 2017 (see r. 2(a)); r. 3 and Pts. 2-6: 19 Sep 2017 (see r. 2(b))
Education and Training Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 4	31 Jul 2018 p. 2711-15	1 Jan 2019 (see r. 2(c))
Education Regulations (Immunisation Requirements for Enrolment) Amendment Regulations 2019 Pt. 3	19 Jul 2019 p. 2844-6	22 Jul 2019 (see r. 2(b) and *Gazette* 19 Jul 2019 p. 2841)
School Education (Student Residential Colleges) Amendment Regulations 2019	8 Nov 2019 p. 4003	r. 1 and 2: 8 Nov 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Nov 2019 (see r. 2(b))
School Education (Student Residential Colleges) Amendment Regulations 2020	SL 2020/7 21 Feb 2020	r. 1 and 2: 21 Feb 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Feb 2020 (see r. 2(b))
School Education (Student Residential Colleges) Amendment Regulations 2021	SL 2021/197 3 Dec 2021	r. 1 and 2: 3 Dec 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Dec 2021 (see r. 2(b))
Education Regulations Amendment (Fees and Charges) Regulations 2023 Pt. 4	SL 2023/67 16 Jun 2023	1 Jul 2023 (see r. 2(b))
School Education (Student Residential Colleges) Amendment Regulations 2024	SL 2024/181 4 Sep 2024	r. 1 and 2: 4 Sep 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Sep 2024 (see r. 2(b))

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
accommodation	3
Act	3
application	4, 10
arrangement	32
boarding agreement	3
Bob Hawke Regional Academic Scholarship	3
CEO	3
college	3
detrimental action	31(1)
doctor	3
individual services	3
isolated student	12(1)
parent	3
place	4
primary criteria	12(1)
regional college	12(1)
scheme	28
secondary criteria	12(1)
secondary school	3
specified	14(1)
staff	3
student	3, 6(1)
suspend	22
WA student	12(1)

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