

EDUCATION

ED301

EDUCATION ACT 1928**EDUCATION AMENDMENT REGULATIONS (NO. 3) 1991**

Made by the Minister for Education.

Citation

1. These regulations may be cited as the *Education Amendment Regulations (No. 3) 1991*.

Commencement

2. These regulations shall come into operation on the day on which the *Education Amendment Act (No. 2) 1990* comes into operation.

Principal regulations

3. In these regulations the *Education Act Regulations 1960** are referred to as the principal regulations.

[* *Published in the Gazette of 28 September 1989.*
For amendments to 30 October 1991 see 1990 Index to Legislation of Western Australia, p.226 and the Gazette of 25 October 1991.]

Regulation 267 amended

4. Regulation 267 of the principal regulations is amended by repealing subregulation (2).

Part XIII inserted

5. After Part XII of the principal regulations the following Part is inserted —

“ **PART XIII — SCHOOL DECISION-MAKING GROUPS**

Interpretation

276. In this Part, unless the contrary intention appears —

“approved” means approved by a Superintendent under regulation 287 (2) (a) or 288 (3);

“member” means member of a school decision-making group;

- "school" has the same meaning as in Part VA of the Act;
- "school decision-making group" has the same meaning as in Part VA of the Act;
- "school development plan" means a school development plan referred to in regulation 284;
- "staff" has the same meaning as in Part VA of the Act;
- "students" has the same meaning as in Part VA of the Act;
- "Superintendent", in relation to a school, means the Superintendent designated by the chief executive officer for that school.

**Principal to facilitate establishment
of school decision-making group**

277. The principal of a school shall facilitate the establishment of a school decision-making group in respect of that school.

Composition of school decision-making group

278. (1) A school decision-making group shall comprise —

- (a) the principal of the school;
- (b) a person or persons representing staff at the school;
- (c) a person or persons representing parents of students at the school and members of the local community;
- (d) where students elect to be represented on the group, a person or persons representing students at the school.

(2) The member or members of a school decision-making group referred to —

- (a) in subregulation (1) (b) shall be elected by and from among staff at the school;
- (b) in subregulation (1) (c) shall be elected —
 - (i) by and from among persons who are members of the Parents and Citizens' Association formed for that school; or
 - (ii) if a Parents and Citizens' Association is not in existence for that school, by and from among parents of students at the school;
- (c) in subregulation (1) (d) shall be elected by and from among students at the school.

(3) An election referred to in subregulation (2) (a), (b) (ii) or (c) shall be organized and supervised by the principal of the school and shall be conducted in a manner determined by the principal.

(4) An election referred to in subregulation (2) (b) (i) shall be organized and supervised by the Parents and Citizens' Association and shall be conducted in a manner determined by the Association.

**Number of members to comprise
school decision-making group**

279. Subject to regulation 281, the number of members comprising a school decision-making group, including the number of members to be elected by and from among each group of persons referred to in regulation 278 (1) (b), (c) and (d) shall, before the establishment of the group, be determined by the principal of the school after consultation with —

- (a) any existing group which in the opinion of the principal represents staff, parents and members of the local community; or
- (b) if there is not in existence a group referred to in paragraph (a), persons who in the opinion of the principal are representatives of staff, parents and members of the local community.

**School decision-making group may vary
the number of members in the group**

280. Subject to regulation 281, a school decision-making group may, from time to time, vary the number of members comprising the group, including the number of members to be elected by and from among each group of persons referred to in regulation 278 (1) (b), (c) and (d).

**Number of staff members to be equal to
number of parent members**

281. (1) Except where an exemption is granted under subregulation (2), the number of members in a school decision-making group representing persons referred to in regulation 278 (1) (b) shall be equal to the number of members representing persons referred to in regulation 278 (1) (c).

(2) The Minister may exempt a school decision-making group from the requirement in subregulation (1) where in the opinion of the Minister the size of the school in respect of which the group is formed makes it impracticable for the group to comply with that requirement.

**Person not to be a member
in more than one capacity**

282. A person is not eligible to be a member of a school decision-making group in more than one capacity referred to in regulation 278 (1) (a), (b), (c) or (d).

Term of membership

283. (1) A person elected under these regulations to be a member of a school decision-making group shall be elected for a term determined before the election —

- (a) by the principal of the school where the school decision-making group is yet to be established; and
- (b) by the school decision-making group where the group has been established,

but in any case shall not be elected for a term exceeding 1 year.

(2) Notwithstanding subregulation (1) a person may from time to time be re-elected.

School development plans

284. (1) A school development plan shall be prepared annually for each school and shall have effect for a period of one year commencing on a day specified in the plan.

(2) A school development plan shall contain —

- (a) objectives and priorities for the school for the period in respect of which the plan is prepared;
- (b) strategies for achieving the objectives and priorities referred to in paragraph (a);
- (c) where applicable, any proposal for the allocation of resources over which the school has control in order to achieve the objectives and priorities referred to in paragraph (a); and
- (d) where a previous school development plan has been approved for the school, a report on the school's performance in achieving the objectives and priorities contained in that plan.

Persons responsible for formulating school development plan

285. (1) The school decision-making group for a school shall be responsible for formulating the objectives and priorities referred to in regulation 284 (2) (a).

(2) The principal of a school, after consultation with staff at the school, shall be responsible for formulating those parts of the school development plan referred to in regulation 284 (2) (b), (c) and (d).

School decision-making group to endorse plan

286. A school decision-making group shall endorse the school development plan when it is satisfied that the plan is consistent with the objectives and priorities that have been formulated by the group.

Approval of school development plan

287. (1) After a school development plan is endorsed by a school decision-making group, the plan shall be submitted by the principal to the Superintendent.

(2) Where a Superintendent receives a school development plan under subregulation (1) the Superintendent shall examine the plan and either —

- (a) approve the plan if the Superintendent is satisfied that the plan is not inconsistent with departmental policy; or
- (b) return the plan to the principal for revision and resubmission if the Superintendent considers that the plan or any part of the plan is inconsistent with departmental policy.

Appeal

288. (1) A school decision-making group that is aggrieved by a decision of a Superintendent under regulation 287 (2) (b) may appeal against that decision to the chief executive officer.

(2) Upon appeal under subregulation (1), the chief executive officer shall either —

- (a) uphold the appeal if the chief executive officer determines that the plan is not inconsistent with departmental policy; or
- (b) dismiss the appeal.

(3) Where an appeal is upheld by the chief executive officer under subregulation (2) (a) the chief executive officer shall remit the school development plan to the Superintendent who shall approve the plan.

Effect to be given to school development plan

289. Where a school development plan is approved effect shall be given to the plan.

Review

290. A school decision-making group shall review the school's performance in achieving the objectives and priorities contained in the school development plan that has been approved for that school.

Reports by principal

291. For the purpose of enabling a school decision-making group to conduct the review referred to in regulation 290, the principal of a school shall report regularly to the school decision-making group on the school's performance in achieving the objectives and priorities contained in the school development plan that has been approved for that school.

Proceedings of school decision-making group

292. (1) Subject to this Part, the proceedings of a school decision-making group shall be conducted in such manner as the members determine.

(2) The first meeting of a school decision-making group shall be convened by the principal of the school.

Persons may be co-opted to school decision-making groups

293. (1) A school decision-making group may co-opt any person from the local community to act in an advisory capacity to the group where the group considers that the person has some expertise that may be of use to the group.

(2) A person who is co-opted to a school decision-making group under subregulation (1) —

- (a) is not entitled to vote on any matter that is to be decided by the group; and
- (b) shall be co-opted for a period determined by the group.

Advice by principal of certain matters

294. The principal of a school shall advise the Superintendent, in writing, of —

- (a) the name (if any) by which a school decision-making group wishes to be known;
- (b) the number of members in the group;
- (c) the name of each member of the group and the capacity in which the person is a member;
- (d) the date on which the member was elected and the term for which the member is elected;
- (e) the name of any person co-opted to the group, the area of expertise of that person, and the period for which the person is co-opted to the group;
- (f) any procedures determined by the group for the conduct of proceedings of the group,

and shall advise the Superintendent in writing of any change in those particulars as soon as practicable after the change occurs.

Dissolution of groups

295. The Minister may dissolve a school decision-making group where the Minister is of the opinion that the group is not functioning effectively.

Transitional

295A. (1) Notwithstanding regulations 277 to 283 inclusive, where the Minister is satisfied —

- (a) that in relation to a school a body comprising the principal and representatives of staff and parents at the school exists as at the commencement of these regulations;
- (b) the objects of the body are not inconsistent with the objects of school decision-making groups; and
- (c) the body is functioning effectively,

the Minister may direct that the body shall, for the purposes of this Part, constitute the school decision-making group for the school.

(2) A direction under subregulation (1) shall cease to have effect at the expiration of 2 years from the commencement of these regulations unless it is revoked under subregulation (3) before that period expires.

(3) The Minister may at any time revoke a direction given under subregulation (1).

(4) Upon a direction under subregulation (1) ceasing to have effect or being revoked under subregulation (3), a school decision making group shall be established, in accordance with regulations 277 to 283 inclusive, in respect of the school.