

EDUCATION AMENDMENT ACT (No. 2)

No. 74 of 1990

AN ACT to amend the *Education Act 1928* and the *Education Amendment Act 1988*.

[Assented to 22 December 1990.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Education Amendment Act (No. 2) 1990*.

Commencement

2. This Act shall come into operation on such day as is fixed by proclamation.

Education Act 1928 amended

3. After Part V of the *Education Act 1928** the following Part is inserted—

“ PART VA—SCHOOL DECISION-MAKING GROUPS

Interpretation

21C. In this Part—

“school” means a Government school other than a technical college or technical school;

“school decision-making group” means a school decision-making group established under this Part;

“staff”, in relation to a school, includes any teacher, employee or officer employed at the school;

“students” does not include students attending a pre-primary centre or primary school.

School decision-making groups

21D. (1) A school decision-making group shall be established in respect of every school for the purposes of enabling parents and members of the local community, staff and, at their election, students at a school to participate in the formulation of educational objectives and priorities for the school through a school development planning and review process.

(2) Notwithstanding subsection (1), the Minister may by notice published in the *Government Gazette* declare that that subsection does not apply in respect of a school or schools specified in the notice.

Regulations relating to school decision-making groups

21E. (1) The Minister may make such regulations as are necessary or convenient for the purposes of giving effect to section 21D.

(2) Without limiting the generality of subsection (1), regulations may be made—

- (a) prescribing the procedure for the establishment of school decision-making groups;
- (b) prescribing the functions of school decision-making groups;
- (c) with respect to the composition of school decision-making groups;
- (d) providing for the manner in which persons become members of school decision-making groups;
- (e) enabling a school decision-making group to co-opt members of the local community to the group and prescribing the capacity in which such persons may be co-opted to a group;
- (f) requiring the preparation of a school development plan for each school;
- (g) requiring school development plans to be approved by a specified person and prescribing requirements and procedures to be adopted in relation to such approval;
- (h) with respect to the proceedings of school decision-making groups;
- (i) with respect to the liability of members of school decision-making groups;
- (j) providing for a method of reviewing a school's performance in relation to the implementation of a school development plan;
- (k) providing in specified circumstances for the dissolution of school decision-making groups by the Minister.

School decision-making group not to exercise authority over staff

21F. Notwithstanding sections 21D and 21E, a school decision-making group shall not exercise any authority over the staff, or interfere in any way with the control or management of any school. ”.

*[*Reprinted as approved 19 July 1984 and amended by Acts Nos. 94, 118 and 121 of 1984, 98 of 1985, 63 of 1986, 113 of 1987, 7 and 49 of 1988 and 48 of 1989.]*

Education Amendment Act 1988 amended

4. Sections 6 and 7 of the *Education Amendment Act 1988** are repealed.

*[*Act No. 53 of 1988.]*
