

Australian Capital Territory

Education (School Boards of School-Related Institutions) Early Childhood Schools Determination 2009

Disallowable instrument DI2009–226

made under the

Education Act 2004, section 43

EXPLANATORY STATEMENT

Introduction and purpose

This instrument provides for the composition of school boards of Early Childhood Schools, as school-related institutions under section 43 of the *Education Act 2004* (the Act).

Legal authority

Section 20 subsection 3 of the Act states that the Minister may establish school-related institutions. The Early Childhood Schools were established as school-related institutions by the Minister for Education and Training on 31 March 2009.

Section 43 subsection 6 of the Act requires the determination of the board to be made only with the Minister's written approval. The Minister approved the composition of the boards on 26 July 2009.

Section 43 subsection 7 of the Act requires the Chief Executive to consult with the parents of the school about the composition of the board, if practical. The composition of the boards of the Early Childhood Schools was discussed and endorsed before the opening of the Early Childhood Schools by the reference group for the development of the Early Childhood Schools framework.

Section 43 subsection 2 of the Act states that the Chief Executive of the Department of Education and Training (the Chief Executive) must determine the composition of the board of a school-related institution.

Summary of determination

1. Composition

Principal

The principal must be a member of a school board established at an ACT public school.

Appointed member

The appointed member is a person from outside the school community.

Staff member

The staff member is a person employed as a member of staff at the school and elected by the staff at the school. Staff at the school includes teachers, administrative staff and any other employees of the school.

Child care member

The Early Childhood Schools will have on-site child care providers. The child care provider at the school can nominate a person to the child care member position on the board.

Parents and citizens members

The parents and citizens members must be elected by the parents and citizens association of the school, however, they need not be a member of the association.

Community or government agency service members

The community or government agencies that provide services to the school, such as (but not limited to) Therapy ACT, the ACT Department of Health, Marymead or Woden Community Services may nominate a person to be community or government agency service member position on the board. There can be no more than two community or government agency service members on the board at any one time.

If more than two nominees are received for any one community or government agency service member position, then the school board should determine the nominee to fill each position.

Board appointed member

The board may appoint a person to the board for a term (not longer than 12 months) to be decided by the school board. The board appointed member is a non-voting member. This position may be filled by a person with particular skills or experience; however the appointment is at the discretion of the board.

2. Quorum

This is to ensure that business is not carried out without the principal or a staff member, and a parent and citizen member and one other person being present. Decisions made by at an inquorate meeting may be invalid.

3. Voting rights

All members of the board have equal voting rights, except the board appointment member (if any) who is a non-voting member. The chair has the casting vote as per section 48 of the Act.

4. Period of appointment

All members except the board appointed member (if any) has appointed for the prescribed period, as defined in section 37 of the Act. The board appointed member is appointed to the board for a term decided by the board, but no longer than 12 months.