

## The new *Education Act*

# INFORMATION SHEET – School councils and independent public school boards model constitution

A new *Education Act* has been passed by the Northern Territory Parliament and is now the law. This information sheet tells you about some of the changes in the *Education Act* and Education Regulations relating to school representative bodies

*One of the key changes in the Education Act which require action by school councils and IPS boards is the new model constitution:*

- school councils and boards are required by legislation to adopt the model constitution
- the model constitution has been updated to align with the rules on the composition of school council membership and financial accountability in the Act and Regulations
- there are model constitutions for the three different types of school representative body – school councils, independent public school (IPS) boards and joint school representative bodies
- all councils and boards must ratify the appropriate model constitution by 30 September 2016

**Adoption of the new model constitution gives School Representative Bodies an opportunity to apply more flexible rules for the number and type of school council or board members:**

- there is more flexibility in the rules for membership of school councils and boards - see Appendix A for further details
- this includes fewer compulsory categories of members and the ability to include more invited members
- IPS boards may make an application through the department to vary the minimum 50% parent membership requirement
- school councils or boards that wish to take advantage of the more flexible composition rules may choose to change their membership at the same time as they ratify the new constitution.

The legislative changes affecting school councils and boards commenced on 1 April 2016. Some of the changes will take longer to implement and the department will work with school councils and boards to help them comply with the Act.

School Operations North is the key contact for all school councils and boards, by email to [schoolops.det@nt.gov.au](mailto:schoolops.det@nt.gov.au) or phone (08) 8901 1383.

The steps school councils and boards will need to follow to comply with this change are outlined below (see appendix B for a flowchart of the process).

## STEPS TO COMPLIANCE

### CONSIDER CHANGE TO COMPOSITION OF COUNCIL

Decide whether you want to change the membership composition of your school council or board

#### NO CHANGE TO COMPOSITION

- Consult with the school community to confirm no change to composition.
- Draft constitution using the model template in discussion with School Operations North who will ensure your draft constitution is approved by the department.
- Hold a special general meeting to ratify your constitution, giving at least three days written notice to the school community.
- This must be completed before 30 September 2016.
- Once the new constitution is ratified the council or board continues operating as usual.

#### CHANGE TO COMPOSITION

- Consult with the school community with regard to the proposed changes to composition.
- Draft constitution using the model template in discussion with School Operations North who will ensure your draft constitution is approved by the department.
- Hold a special general meeting to ratify your constitution, giving at least three days written notice to the school community.
- Once the new constitution is ratified, provide the school community with notice of the changes.
- The ratification of the constitution must be completed before 30 September 2016.
- Once the new constitution is ratified the existing council will continue to operate until elections for all positions are held at the AGM in March 2017.

#### Further information

For further details talk to your school principal.

Information is also available at [www.education.nt.gov.au](http://www.education.nt.gov.au), by email to [schoolops.det@nt.gov.au](mailto:schoolops.det@nt.gov.au) or by phone (08) 8901 1385.

## COMPOSITION OF SCHOOL COUNCILS AND IPS BOARDS

The membership rules for a school council or IPS board are set out in Part 5 of the Education Regulations.

**Total number of members:** there can be a minimum of 5 and maximum of 19 members.

### Mandatory members:

#### Parents

- there must be at least 50% parent members\*
- parents of students enrolled at the government school (including parents of preschool students) are elected by parents of students at that school
- a parent must be appointed as council or board chair. This parent cannot be a teacher or principal at any government school.

\*IPS boards can submit an application to the department if they wish to reduce the number of parent members below 50%. School Operations North can assist IPS boards with this process.

#### Teachers

- at least one teacher from the government school (including preschool teachers) elected by teachers at that school

#### Principal

- the principal of the school

### Optional members

#### Students


- middle or senior secondary schools may include one to two student representatives elected by students at that school

#### Invited members

- any person considered by the council or board to have special qualifications, knowledge or experience which would assist them in carrying out their work can be invited to be a member of the council or board
- the local Member of the Legislative Assembly or a person nominated by the local government council may also be invited to be members
- teachers at any government school are not eligible to be invited members

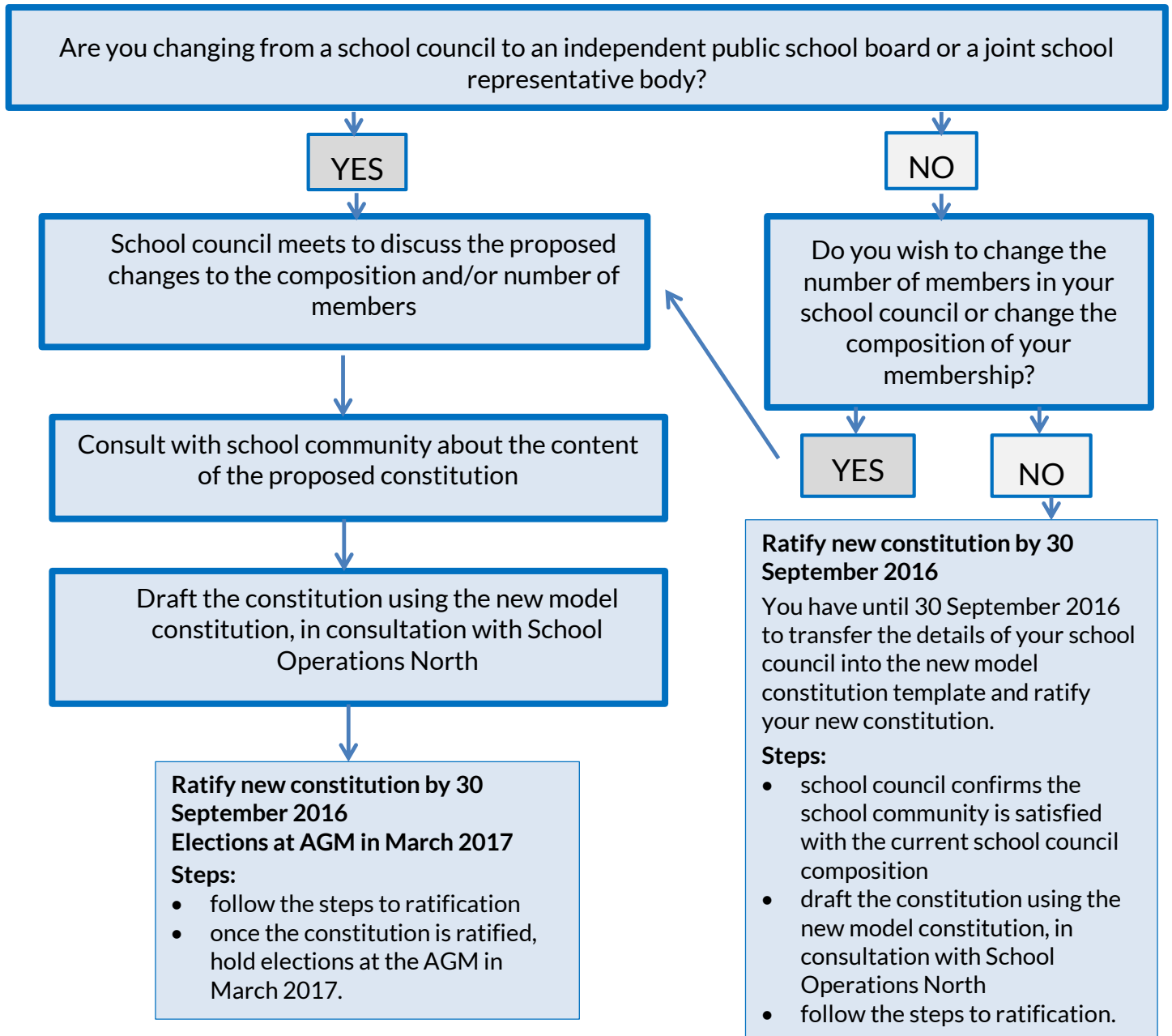
Table 1: Sample calculator for composition of school councils or boards

**Number of members in the school representative body**

**Minimum** ←  **Maximum**

5	10	15	19	
Parent	Parent	Parent	Parent	1
Parent	Parent	Parent	Parent	2
Parent	Parent	Parent	Parent	3
Principal	Parent	Parent	Parent	4
Teacher	Parent	Parent	Parent	5
	Principal	Parent	Parent	6
	Teacher	Parent	Parent	7
	3 optional: invited members, up to 2 students, parents or teachers	Parent	Parent	8
		Principal	Parent	9
		Teacher	Parent	10
		5 optional: invited members, up to 2 students, parents or teachers	Principal	11
			Teacher	12
			7 optional: invited members, up to 2 students, parents or teachers	13
				14
				15
				16
				17
				18
				19

## The new *Education Act*: Steps to changing your school council constitution



### Steps to ratification:

1. the constitution is checked against the model constitution and associated guidelines
2. consultation occurs with School Operations North who can provide advice about constitution requirements and the amendment process
3. the proposed revised constitution is approved through School Operations North *before* being ratified by the school council.
4. the approved revised constitution is ratified by the school council at a special general meeting
5. once ratified by the council, the constitution is signed and dated by the chairperson and the principal. A copy is sent to School Operations North, together with a copy of the minutes from the meeting at which the constitution is ratified.