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| Target Audience: | All corporate and school staff, school community members | |

This policy should be read in conjunction with the following:

* Independent Public Schools Policy
* Independent Public School Board Guidelines
* Independent Public Schools Application and Revocation Process and Guidelines
* School Representative Body Policy
* School Representative Body Constitution Guidelines

# Introduction

NT Government school representative bodies at NT Government schools are required by law to have at least 50 per cent of members who are parents of students enrolled at the school.

Gazetted independent public school (IPS) boards, however, have the option to apply to the Minister for Education to modify the at least 50 per cent parent membership requirement.

These guidelines provide guidance on the application process for an IPS to modify the requirement to have at least 50 per cent parent membership on the board.

# Definitions

**Community Engagement and Local Decision Making** is an administrative unit in the Department of Education (the department).

**Government Gazette** is the publication that records the business and proceedings of a government and is authorised to publish public or legal notices.

**Independent public school** is a school designated by gazette notice as a school that has greater autonomy to provide education to children and young persons in the community it serves.

**Independent public school board** is the governing body for an independent public school, gazetted as a board under the Education Act

**Independent public school board parent member** must be a parent of a student enrolled at the school for which the school board has been established.

**Minister** is the Minister for Education.

**Parent** signifies a child’s father, mother or any other person who has parental responsibility for the child, including a person who is regarded as a parent of the child under Aboriginal or Torres Strait Islander customary law or tradition.

**School representative body** is an incorporated separate entity established under the Education Act that may be referred to as an independent public school board or for non-IPS referred to as a school council.

# ROLES AND RESPONSIBILITIES

**Independent public school board**

* Consults with parents to secure support to modify the requirement to have at least 50 per cent parent members on the school board, evidenced through a motion passed at a special general meeting of the board.
* Submits application in writing in line with these guidelines.
* Following receipt of Minister’s approval, publishes on the school’s website how the views and interests of parents will be adequately represented on the modified board.
* Ensures the board’s constitution is amended and ratified to reflect the modification of the board’s composition.
* Makes fresh applications, if required, to extend or vary the modification which the Minister has approved.
* Advises the Minister if the board does not wish to extend the modification, noting the date on which the Minister’s approval expires.

**Community Engagement and Local Decision Making**

* Coordinates and administers the application process including receiving, registering and facilitating the assessment of an application to modify the 50 per cent parent membership request, through the preparation of written briefings for the Chief Executive and Minister.
* Receives and processes notification from the board as to ceasing, extending or amending an existing modification approved by the Minister.
* Coordinates the publication of Government Gazette notice regarding modification to have less than 50 per cent parents on the board.
* Receives and registers an amended constitution from an IPS board that reflects the approved modification.

**Chief Executive**

* Makes recommendations to the Minister on an application from an IPS board to modify the requirement to have at least 50 per cent parent members on the board.

**Minister**

* Makes decisions on an application from an IPS board to modify the requirement to have at least 50 per cent parent members on the board.
* Gives written notice of the decision to the IPS board as soon as is practicable.
* Publishes the approved modification to the composition of an IPS board, including the period of time that the modification is in effect.
* Publishes the cessation of a modification to the composition of an IPS board once the period of time to the parent membership modification has expired.

# Procedures

1. Preparation required – before the application is made

* The IPS board must ensure the proposal to have less than 50 per cent parents on the board will help to meet the school’s strategic direction and has clear links to the school’s business plan.
* The IPS board must consider how the interests and views of parents will be represented for on-going board operations and decision making, if the application is accepted.
* The IPS board must gain the support of parents on the proposal and have the motion in support of the application passed at a board meeting.
* The school principal should liaise with Community Engagement and Local Decision Making to seek support and advice before the application is formally submitted.

1. Making an application

* The application must be made using the IPS Board Application to modify parent membership form.
* All fields must be completed and relevant attachments provided.
* Parent membership on the board should not be less than 30 per cent.
* The application must outline strategic benefit for the school, insufficient parental engagement will not be considered a valid reason to modify the at least 50 per cent parent membership requirement.
* The application is to be printed, scanned and submitted to Community Engagement and Local Decision Making.

1. Processing the application

* Community Engagement and Local Decision Making will register the application and assess for completeness. The school may be contacted if more information is required.
* Following consultation with relevant stakeholders, Community Engagement and Local Decision Making will prepare a ministerial attaching the application and a suitable response for the Minister’s consideration through the Chief Executive for endorsement.
* The Chief Executive will forward the application with a recommendation to the Minister within 10 working days of the application’s receipt.

1. Decision

* The 30-day timeframe for a decision from the Minister commences when the application is received by the Minister from the department.
* The Minister may approve, refuse or vary the application and approve as varied.
* In making this decision, the Minister considers whether:
  + the views and interests of parents will be adequately represented on the IPS board;
  + the school’s strategic aims will be achieved; and
  + the community in which the school is located supports the application.
* The Minister must be satisfied the board can continue to perform its functions in a way that achieves the best educational outcomes for its students.

1. Notice of the decision

* The Minister will notify the board of the decision in writing as soon as practicable but no later than 30 days after receipt by the Minister.
* The Minister’s approval has effect for two years, or less if specified by the Minister.
* Community Engagement and Local Decision Making will arrange for the publication of the Minister’s approval for the modified IPS board composition in the Government Gazette as soon as possible after the application is approved.
* The school must publish the modified IPS board arrangements and the period of time the arrangements are in place on its website, along with how the views and interests of parents will be adequately represented on the modified IPS board.

1. Ceasing, extending or varying the decision

* An IPS board may make a fresh application at any time as per these guidelines, whether or not the Minister’s approval of an earlier application is still in effect.
* If an IPS board does not intend to make a fresh application it must write to Community Engagement and Local Decision Making with notice of the date on which the current approval will expire.
* Community Engagement and Local Decision Making will advise the Minister and arrange the publication of the ceased arrangements in the Government Gazette on behalf of the Minister.
* A school may cease the modified board arrangements approved by the Minister at any time during or at the end of that time.