

Australian Capital Territory

# Education (School Boards of Schools in Special Circumstances) Telopea Park School Determination 2009

Disallowable instrument DI2009–188

made under the

Education Act 2004, section 43

## EXPLANATORY STATEMENT

---

### Introduction and purpose

This instrument provides for the composition of school board of Telopea Park School, a school in special circumstances under section 43 of the *Education Act 2004* (the Act).

### Legal authority

Section 43(5) of the Act states that the Chief Executive of the Department of Education and Training (the Chief Executive) may determine:

- the composition of the board
- the members who are required to be present at a meeting of the board; and
- the members who may not vote at a meeting of the board.

### Summary of determination

#### 1. Composition

##### Principal

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

##### Staff members

The two staff members appointed to the board are employed as members 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.

#### Parents and citizens members

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

#### Student members

The two student members appointed to the board must be secondary students at the school and elected by secondary students at the school.

#### Appointed member

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

#### Board appointed members

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

#### Nominees of the French Government

The two nominees of the French Government must be nominated by the French Ambassador to Australia. The positions may be filled by people with particular skills or experience; however the appointment is at the discretion of the French Ambassador to Australia.

#### Nominee of the Australian Government Minister for Education

The nominee of the Australian Government Minister for Education may be filled by a person with particular skills or experience; however the appointment is at the discretion of the Australian Minister for Education.

### **2. Quorum**

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

### **3. Voting rights**

All members of the board have equal voting rights, except the board appointed members, who are non-voting members. The chair has the casting vote as per section 48 of the Act.

### **4. Period of appointment**

All members except the board appointed members are 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.