

# PRINCIPALS GUIDE TO SCHOOL COUNCIL ELECTIONS 2020



Education  
and Training

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# INTRODUCTION

Each year school council elections take place in Term 1 and the process must be completed by 31 March. The principal is responsible for conducting the election. The principal may appoint a person to act on their behalf for one or more of the purposes of Ministerial Order No 52 – School Council Composition and Elections Order (as amended from time to time). The Order establishes the legal framework for the conduct of school council elections.

The *Principals Guide to School Council Elections 2020* has been developed to assist principals to understand and conduct school council elections in accordance with the Order.

The election process is set out in six stages in the guide. The section headed 'Requirements' in each of the stages must be followed. Some stages have a notes section which provides additional information about the requirements. The guide also includes examples of good practice, the relevant forms required in conducting the election and fact sheets for parents, principals and students about the election process.

Further advice about the requirements for conducting the election can be obtained by contacting your regional office or by viewing the Order on the Department's school council website at: [Conducting an Election](#).

Enquiries can also be made by emailing the School Operations and Governance Unit, Schools and Regional Services at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au) or by contacting 70221343 or 70221345.

## STUDENT MEMBERS ON SCHOOL COUNCIL

In 2018, a Student member category on school council was mandated for Victorian government schools with a Year 7 cohort and above. Each school council increased by two positions to allow for two Student members to be elected to council, unless an exemption was approved.

# SCHOOL COUNCIL ELECTIONS – FUNDAMENTALS

## ELECTION TIMEFRAME

The school council election process for all government schools in Victoria must be commenced no earlier than the school year commencement date and completed on or before 31 March for the Parent, DET employee and Student member categories. The updating and declaration of Schedule 7 must be completed by 30 April.

**A Ministerial Order is required to hold an election outside of this timeframe.**

## ELECTORATES

Each school council operates according to a constituting Order that details the objectives, functions and powers of a council and, for each individual school council, its size and configuration. A model constituting Order for a school council can be located on the Department's school council web page, titled [Conducting an Election](#).

There are three separate electorates within a school community:

- Parent electorate
- DET employee electorate
- Student electorate.

In addition, there is an optional Community member category, and for a small number of school councils, a Nominee member category.

### Parent electorate of the school

The Parent electorate of the school includes each parent of a student of the school, except those who are DET employees engaged in work at, and for, the school. A parent of a student at the school, who is a DET employee but does not work at or for the school is included in the Parent electorate. These parents are classified on council as 'DET parents'.

'Parent' includes a guardian or person who is liable to maintain or has the actual custody of a student of the school.

If a DET employee is elected to the Parent category (DET parent) of the school where their child is enrolled but where they do not work, they are counted in the DET employee category for school council meeting quorum requirements.

Parent members must comprise more than one-third of the council's total membership as detailed in the school council's constituting Order.

### DET employee electorate of the school

The DET employee electorate of the school includes the principal of the school and DET employees engaged in work at, and for, the school. The principal and DET employees of a school are, and can only be, DET employee members of the school council. The principal is automatically included in the DET employee membership category and has full voting rights.

'DET employee' means a person employed for eight hours or more per week in either an ongoing capacity or a fixed term of at least 90 days:

1. by the Secretary under the *Public Administration Act 2004* (Victorian Public Servants employed by DET)
2. by the school council of a Government school (for example, maintenance or grounds person, canteen manager and/or staff)
3. under Part 2.4 of the *Education and Training Reform Act 2006* (members of the teaching service including education support officers) or
4. under more than one of the points above.

### Contractors or their employees are not DET employees

A contractor is engaged under a contract for a service (as distinct from an employment contract). Neither a contractor nor the employees of a contractor are DET employees. As an example, a parent of a child at the school who is a director of a company that has been engaged by the school council to provide a service is not a DET employee. Similarly, a person employed by a company to manage the school canteen is not a DET employee.

### Status of DET employees on leave

A DET employee (including a DET parent) on any form of leave (including personal leave, secondment), whether with or without pay, from employment with DET shall be considered to be a DET employee and have the employee status he/she had immediately prior to going on leave.

If the leave is for six months or less, they will remain a member of the DET employee electorate of which the person was a member immediately prior to going on leave.

A DET employee is not eligible to serve as president (or vice-president, if the council has chosen to fill this role) of school council (including in a temporary capacity).

### **Student electorate of the school**

All government schools with a Year 7 cohort and above are now required to have two student members on council.

The Student electorate includes all students enrolled at the school in Year 7 and above. Student members of school council have the same role and responsibilities as other council members including full voting rights. However Student members are not eligible to hold any office bearer position.

### **Community and Nominee members**

Many school councils have Community members and a small number of schools have Nominee members. Persons are not elected to either Community or Nominee member positions.

School councils co-opt Community members. DET employees are ineligible for Community membership.

Nominee members are appointed by the Minister for Education or by an Appointer that the Minister has authorised. Principals with Nominee members on council should review the terms of appointment of the nominees at the start of each school year and action as required.

Community and Nominee members have the same rights, responsibilities and terms of office as elected members unless otherwise provided in the school council's constituting Order.

### **ELIGIBILITY OF SCHOOL COUNCILLORS AND VOTERS**

A candidate must be a person who is eligible for election to the membership category to which they are seeking election.

The nominator of a candidate standing for election to the Parent member category must be a member of the Parent electorate of the school. The nominator of a candidate standing for election to the DET employee member category must be a member of the DET employee electorate of the school.

The nominator of a candidate standing for election to the Student member category must be in Year 7 or above, and be a member of the school student body.

In deciding a person's eligibility, the principal may request in a specified timeframe that:

- a candidate must produce evidence of his/her eligibility to nominate for election
- a nominator must produce evidence of his/her entitlement to nominate the candidate and/or
- a voter produce evidence of his/her eligibility to vote.

A person who is an undischarged bankrupt, is of unsound mind, is serving a sentence for an indictable offence, is subject to a medical condition which makes him or her unable to fulfil the role of a council member or is a registrable offender within the meaning of the *Sex Offenders Registration Act 2004* is not eligible for election or co-option to the school council.

### **IDENTIFICATION AND LOCATION OF ELECTORATE MEMBERS BY PRINCIPALS**

Principals are not required to locate or identify any member of the electorates for the purpose of posting or arranging delivery of the Notice of Election and Call for Nominations (Schedules 3 or 4) or Ballot Papers (Schedules 6A, 6B, 6C or 6D) other than from the information stated in the normal records kept at the school or received from a member of the electorate of the school to the principal in writing.

### **DISPUTES**

The principal has the power to decide any dispute which may arise in the conduct of the ballot. Any queries or concerns about information or procedures during the election process should be discussed with the principal.

The principal is required to retain all election and ballot papers, ballot results and other related election information in the school for 12 months, unless instructed otherwise by the Secretary of the Department.

### **MAXIMUM DET PARENTS ON SCHOOL COUNCIL**

All possible sizes and configurations of school council membership are listed in Schedule 2 included in this guide. It states the number of DET parents who can be elected to a particular school council.

The majority of councillors must be non-DET employees. Principals need to be conscious of the maximum number of DET parents that may be elected to school council when deciding whether the number of nominations in the Parent member category is equal to, less than, or greater than the number of vacancies. Refer to Appendix B, Example 2.

Please note that Student members are not included in the Schedule 2 listing of constituting Orders. However, those schools that are required to have Student members have a fixed number of two members in this category.

### **INFORMATION FOR PARENTS, DET EMPLOYEES AND STUDENTS**

Principals should provide their school community with appropriate information about the school council election through the school newsletter, by email or on the school website and encourage as many people as possible to participate in the process. Each parent of each child or children at the school is eligible to nominate, and to vote if the election process goes to a ballot.

Information on the role and responsibilities of school councils should be freely available to all members of the school community.

## TERM OF OFFICE – ELECTIONS/ CASUAL VACANCY

For all elections after the first school council election, the term of office for elected and co-opted members is not more than two years unless the term has been varied by a Ministerial Order. The term of office commences the day after the date of declaration of the poll and ends on the date of the declaration of the poll for the election held in the second calendar year following the election.

Where a member resigns or is no longer eligible to complete the term of office, a casual vacancy is created. The position may be filled by the school council co-opting an eligible person for the remainder of the term of office. For further information on casual vacancies see Appendix D.

## SCHOOL COUNCIL MEETINGS

The school council can meet the day after the date of declaration of the poll. If a school council is required by its constituting Order to have Community members co-opted to the school council, the principal must:

- as soon as practicable after the declaration of the poll and before office bearers are elected, call, and preside at, a special meeting for the purpose of co-opting the Community members.

Following the co-option meeting, the principal will:

- call, and preside at, the first meeting of the school council to elect office bearers.

A school council must meet at least eight times a year, and at least once per school term. It is good practice to have two meetings per term.

## CO-OPTION OF MEMBERS

A school council can co-opt persons to a vacant member position where:

- an elected position remains unfilled after completion of the election process, and, if after the second call, there are insufficient nominations to fill vacancies, or
- there is a casual vacancy.

## COMPLAINTS PROCESS/CONDUCT OF AN ELECTION

Any person who is aggrieved by any matter arising out of the conduct of an election may, within 14 days of the date of the declaration of the poll, make a complaint in writing to the principal.

If the principal receives a complaint, he or she must refer that complaint to the appropriate Regional Director as soon as possible and request that the

Regional Director, either personally or through a nominee, establish a committee consisting of:

- a person nominated by the Regional Director
- the president of the school council, or, if the president has a connection to the complaint, a member of the school council who is within the Parent member category and who has no connection to the complaint
- a member of the school council who is within the DET employee member category and who has no connection to the complaint.

The regional office must forward a copy of the complaint to the School Operations and Governance Unit, Schools and Regional Services at:

[school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au) or by contacting **70221343** or **70221345**.

The School Operations and Governance Unit can also be contacted for further advice and support at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au)

If the committee established does not agree on how to deal with the complaint within 14 days of the establishment of the committee, the committee must contact the appropriate Regional Director and request that the Regional Director, either personally or through a nominee, determine how the complaint should be dealt with and resolved.

Until the determination of the committee or Regional Director, the election in respect of which a complaint is made shall be regarded as valid and any decision made by the school council during that interval is valid.

If the determination of the committee or Regional Director includes a determination that a fresh election is recommended, any decision made by the school council from the date of the determination to the date of the fresh election is valid. **A Ministerial Order is required for the new election to be conducted.** The principal or nominee must conduct the fresh election in accordance with the Order following receipt of the Order.

## NEW SCHOOLS – THE FIRST SCHOOL COUNCIL ELECTION

A new school operates initially with an interim or appointed school council until the first school council election is held. The timeframe for the first council election is specified in the constituting Order of the school council.

The Notice of Election and Call for Nominations for the first school council election (Schedule 3) must be used. The Notice of Election and Call for Nominations (Schedule 4) is used for subsequent elections. The term of office of the initial interim/appointed members expires upon the date of declaration of the poll for the first school council election.

Additional information about the conduct of a first school council election is provided in Appendix C.

# SCHOOL COUNCIL ELECTION PROCESS OVERVIEW

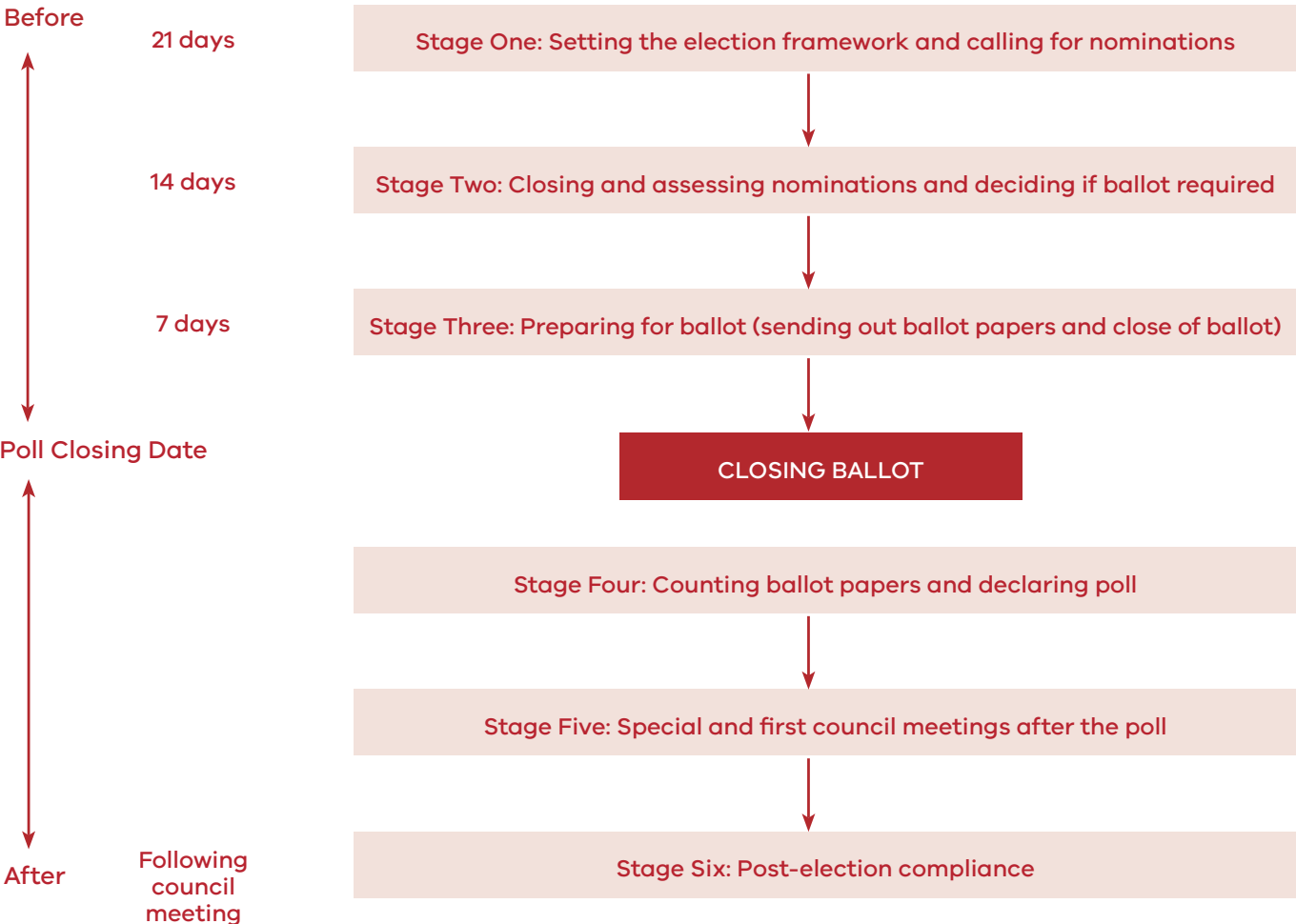
## STAGES OF ELECTION

The election process needs to start at least 21 days before the poll closing date. The following are indicative stages of the election process.

Further information about the requirements for each stage of the election is set out in subsequent pages.

### INDICATIVE TIMELINE

### STAGES OF ELECTION PROCESS





# STAGE ONE: THE ELECTION FRAMEWORK AND CALLING FOR NOMINATIONS

## INDICATIVE TIMEFRAME

This stage of the election process may start any time after the commencement of the first school term as long as the activities of this stage are completed at least 21 days before the poll closing day.

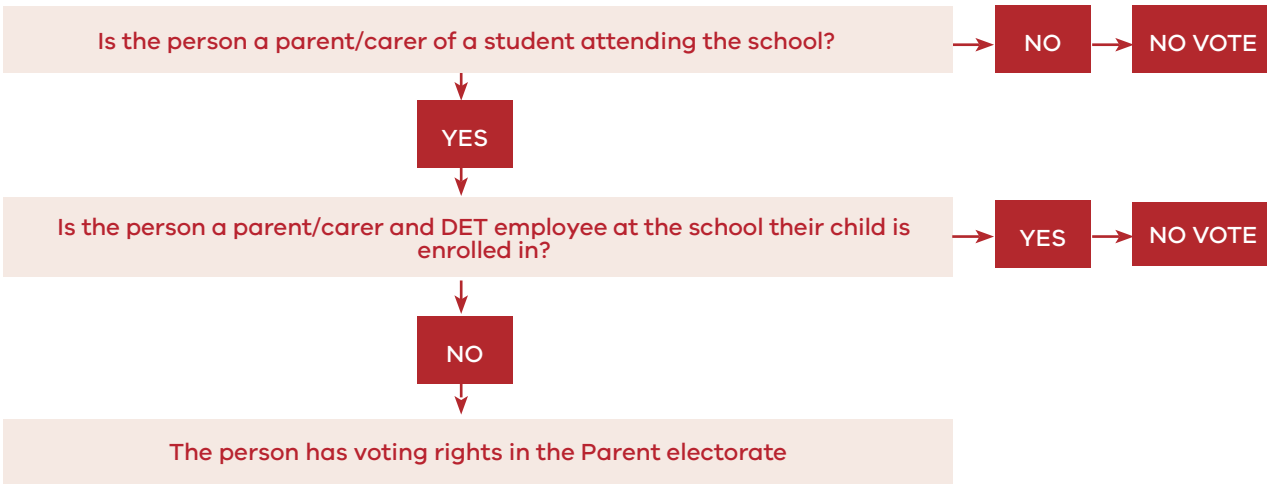
## INTENDED OUTCOMES AT THIS STAGE

- An effective election plan is in place with sufficient time to communicate with the school community, distribute election papers, receive nominations and prepare ballot papers.
- Information is provided to the school community to participate in the school council election process.
- Nomination forms are prepared and are made available at the school.

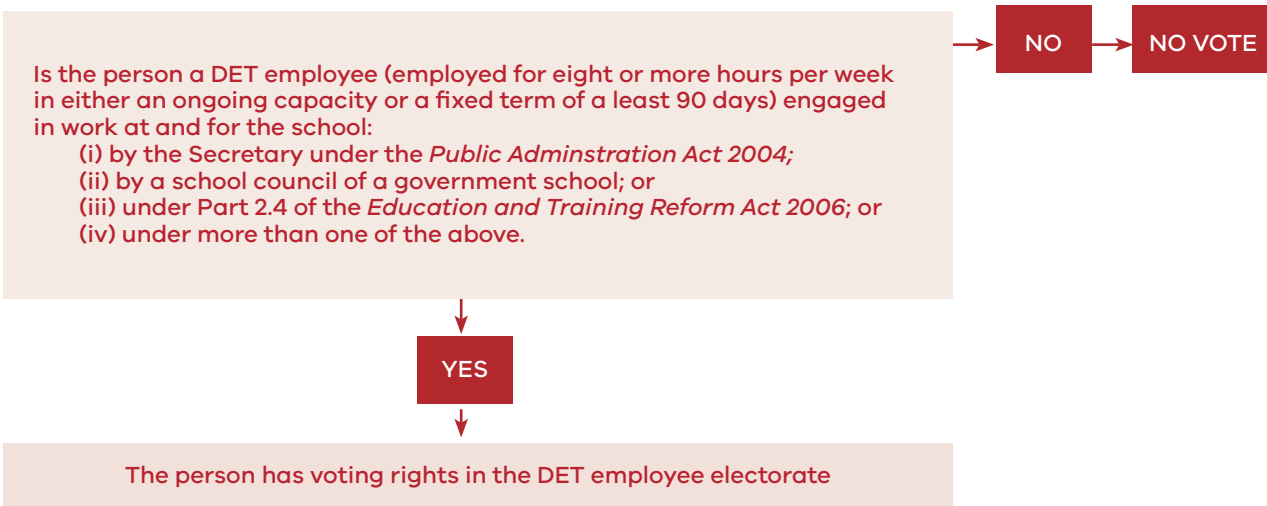
## REQUIREMENTS – STEPS TO BE TAKEN

1. Identify the number of vacancies in the Parent, DET employee and Student electorates. That is, only those vacancies created due to the expiry of the term of office of councillors. Short term vacancies or casual vacancies are not part of the election process and can be filled through co-option when the election process has concluded.
2. Confirm vacant positions by referring to the school council's current membership size and configuration under its constituting Order. This information is listed on the online [Schedule 7 School Council Reporting Schedule](#).
3. Information on how to access school council membership information is also on page 54 of this Guide.
4. Fix a date for the closure of the ballot that enables the election process to be completed by 31 March.
5. At least 21 days before the date fixed, post or arrange for delivery of the Notice of Election and Call for Nominations to the Parent, Student and/or DET employee electorate of the school and display the Notice of Election and Call for Nominations in a prominent position at the school. See Fact Sheet 1 – School council elections, information for parents, and Schedule 3 and 4, in this Guide.
6. Prepare and make available at the school sufficient copies of the nomination forms (Schedules 5A, 5B, 5C, 5D, 5E, 5F). The nomination forms include information for nominators and nominees about the collection, use and disclosure of personal information under the Information Privacy Act 2000.
7. Prepare Nomination Form Receipt (Schedule 8).
8. Compile a roll with names and addresses of every person eligible to vote in the election in the three electorates (refer to Flow charts 1, 2 and 3). Each parent of child/ren enrolled at the school is eligible to vote. Principals are not required to locate or identify any member of the electorates for the purpose of posting or arranging delivery of the Notice of Election and Call for Nominations or ballot papers other than from information stated in the normal records kept at the school, or received from a member of the electorate of the school to the principal in writing.
9. Decide the date and time for the counting of votes and the declaration of the poll.
10. Provide general information about the election through the school newsletter/website or other forms of communication to your community (an example of a communication is provided in Appendix A).
11. The principal is the returning officer. If there is a need to nominate another person, then this person should be a person independent of the outcome of any election.

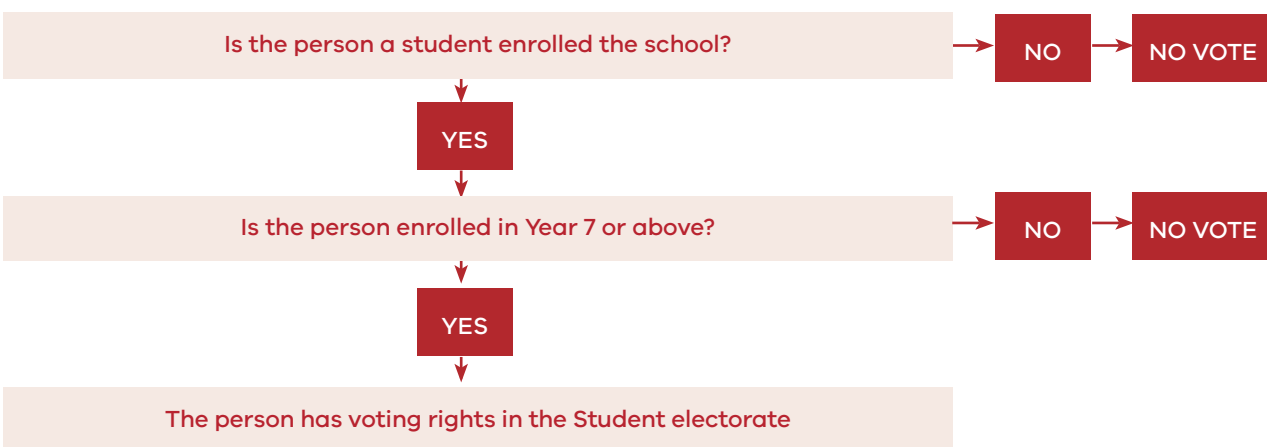
### FLOW CHART 1: VOTING RIGHTS – PARENT ELECTORATE



### FLOW CHART 2: VOTING RIGHTS – DET EMPLOYEE ELECTORATE



### FLOW CHART 3: VOTING RIGHTS – STUDENT ELECTORATE



## NOTE 1: SCHOOL COUNCIL ELECTION PROCESS AND TIMETABLE

This document is an example of a school council election process for 2020. The dates included are only suggestions; however, the process must be completed on or before 31 March 2020.

SCHOOL COUNCIL ELECTION PROCESS AND TIMETABLE		
Name of the School:		
	EVENT	DATE
a)	Notice of election and call for nominations	Monday 10 February 2020
b)	Closing date for nominations	Monday 17 February 2020
c)	Date by which the list of candidates and nominators will be posted	Wednesday 19 February 2020
d)	Date by which ballot papers will be prepared and distributed	On or before Monday 24 February 2020
e)	Close of ballot	Monday 2 March 2020
f)	Vote count	..... / ..... / .....
g)	Declaration of poll	..... / ..... / .....
h)	Special council meeting to co-opt Community members (the principal will preside)	..... / ..... / .....
i)	First council meeting to elect office bearers (the principal will preside)	..... / ..... / .....

# STAGE TWO: CLOSING AND ASSESSING NOMINATIONS AND DECIDING IF BALLOT REQUIRED

## INDICATIVE TIMEFRAME

This stage falls between 14 days and 21 days before the poll closing date.

## INTENDED OUTCOMES DURING THIS STAGE

- Nominations are received and validity of nominations and eligibility of nominators/candidates assessed.
- Nomination form receipt is sent to candidates and nominators (if a different person).
- Decisions are made on whether or not a ballot is required and in which membership category.
- Outcome of the nomination process is publicised to the community, as soon as possible after the outcome of the nominations process has been determined.

## GOOD PRACTICE

- Assess the accuracy of completed nomination forms on receipt and provide advice, if necessary, to resubmit.
- At the end of the nomination period, if the number of nominations is less than the number of vacancies in any one membership category, declare elected those who nominated in the Parent or DET employee categories and publicise an extension of time widely for three school days, calling for further nominations for the remaining vacancies.
- Where the nominations exceed the number of vacancies and a ballot is required, inform the community and the candidates. Provide candidates with the opportunity to prepare a statement. Provide clear instructions about the preparation of the statement and check that instructions have been followed before sending out statements with the ballot papers. Refer to Stage 3: Good Practice in this Guide for more detailed information about candidates' statements.

## REQUIREMENTS – STEPS TO BE TAKEN

1. Receive completed nominations in the form of Schedule 5A, 5B, 5C, 5D, 5E and 5F (as appropriate) by 4.00pm on the fourteenth day before the date fixed for the closure of the ballot.
2. Assess the validity of nominations and eligibility of a nominator to nominate and candidate to nominate for election (refer to Flow chart 4 for assessing the validity of nominations and eligibility of candidates). The nominator and/or candidate must be a member of the relevant electorate. A nomination does not require a seconder.
3. Display notices showing the name of each candidate and nominator in a prominent position at the school as soon as practicable after the

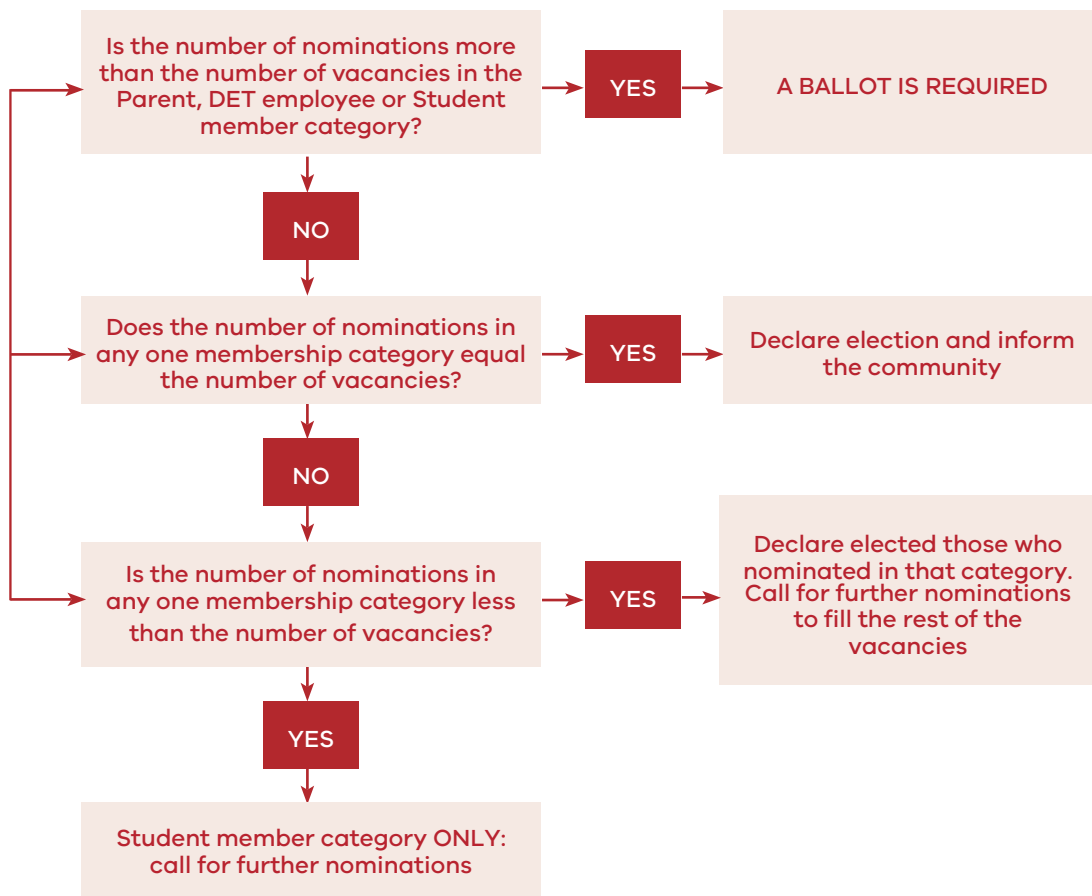
closing of nominations. A sample notice to list the candidates and nominators can be found in Appendix F in this Guide.

4. Post/email Nomination Form Receipt (Schedule 8) to nominees and nominators as soon as practicable after the receipt of a validly completed nomination form.
5. Assess the adequacy and number of nominations and decide the requirement for a ballot (for an example for assessing the requirements for a ballot refer to Flow chart 5 and Appendix B) or recall for nominations.
6. In the Parent electorate determine which parents are DET employees and whether this meets the requirements of Schedule 2 in this Guide. Non-DET members must be in the majority and Schedule 2 indicates the total permissible to meet this requirement.
7. When the number of nominations is less than the number of vacancies in the Parent or DET employee categories, declare elected those who nominated in that category and immediately post in a prominent position in the school a notice stating that insufficient nominations have been received and call for further nominations. Such nominations are to be lodged within three school days from the date of the closing of the first call for nominations.
8. When the number of nominations is less than vacancies in the **Student member category**, the principal must post another notice calling for further nominations. These nominations are to be received within three school days. If after the second call, the number of nominations match the number of vacancies, the students are appointed to council.
9. Where the number of nominations in the Parent, Student or DET employee categories exceeds the number of vacancies, a ballot is required.
10. Where the number of nominations equals the number of vacancies (subject to maximum DET parent requirements not being exceeded – refer to Schedule 2), declare the poll and inform the school community.
11. Ensure completed nomination forms are available for inspection up to the commencement of voting. Given that personal information is on the nomination form, the principal should personally handle any requests for inspection.
12. Nomination forms must be kept at the school by the principal for a period of 12 months from the date of the declaration of the poll and available for inspection by voters at reasonable times.

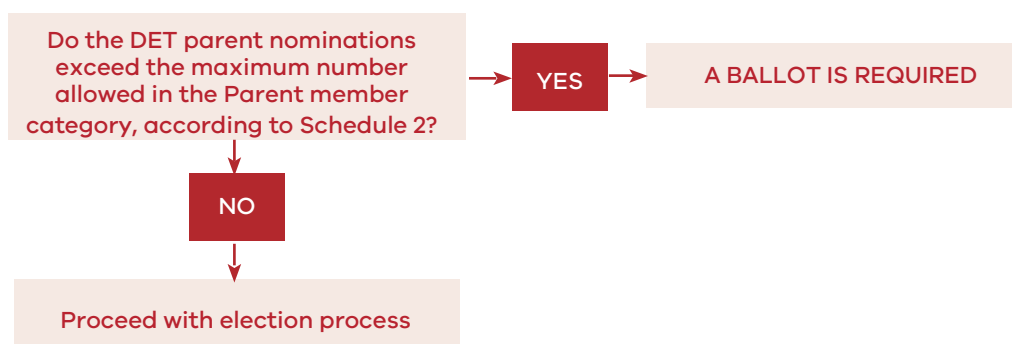
## FLOW CHART 4: ASSESSING THE VALIDITY OF NOMINATIONS AND ELIGIBILITY OF CANDIDATES



## FLOW CHART 5: ASSESSING THE REQUIREMENTS FOR A BALLOT



At each stage of the process, always check:



# STAGE THREE: PREPARING FOR BALLOT

## INDICATIVE TIMEFRAME

This stage is within seven days before the poll closing date.

## INTENDED OUTCOMES AT THIS STAGE

- Ballot papers using Schedules 6A, 6B, 6C and 6D are prepared and completed as required by the Order:
  - a. Schedule 6A is used for the Parent member category (refer to Appendix B, Example 1)
  - b. Schedule 6B is used for the DET employee member category
  - c. Schedule 6C is used for the Parent member category in circumstances where parents who are DET employees and who are nominated to the Parent member category exceed the maximum DET parents, but where there are insufficient candidates for the Parent member category who are not DET employees, and where at the second call for nominations the number of parents nominated exceeds the vacancies and a ballot is required (refer to Appendix B, Example 2)
  - d. Schedule 6D is used for the Student member category.
- Clear instructions to, and communication with, the voters and candidates are established.
- Voters may only vote once in a ballot and must vote in the relevant electorate. Each parent of child/ren enrolled at the school is entitled to vote in the council ballot.
- Administrative arrangements are completed to cast votes and to record the names and addresses of the voters on the register of voters.
- Integrity of the voting process and the security of the ballot boxes are ensured.

## REQUIREMENTS – STEPS TO BE TAKEN

1. Prepare ballot papers in the form of Schedule 6A, 6B, 6C and 6D as appropriate, with the names, **in an order determined by the drawing of lots**, of the candidates listed in the relevant membership category.
2. Ensure each ballot paper is easily capable of authentication by, for example, a signature or school stamp.
3. Electronic or digital ballot papers cannot be used.
4. At least seven days before the date fixed for the closure of the ballot, post or arrange delivery of the ballot papers **together with two envelopes to each voter** of the relevant electorate of the school. The principal may determine whether the school pays for return postage of any ballot papers.
5. Ballot papers must not be uploaded onto the school website or distributed electronically.
6. Inform the school community that in the Parent member and DET employee member categories no campaign literature supporting candidates or groups of candidates may be distributed or posted in the school. No school resources, whether human or material, may be used to support particular candidates or groups of candidates.
7. **Campaign rules differ slightly for students.** Inform the school community that campaign literature supporting Student candidates or groups may be distributed or posted in the school at the discretion of the principal. No school resources whether human or material may be used to support particular candidates or groups of candidates.
8. Notify voters of any withdrawal of candidates as soon as possible.
9. Authorise a person to receive and register votes delivered to the school up to and including the day of the closure of the ballot.
10. Provide a securely sealed ballot box, or boxes in the case of multiple school campuses, for the casting of votes at the school between the hours of 8.00am and 4.00pm on every school day up to and including the day of the closure of the ballot.
11. Record in a register the name and address appearing at the rear of each outer envelope containing a postal vote and a vote cast between the hours of 8.00am and 4.00pm on any school day up to and including the day fixed for the closure of the ballot and which has been delivered to the person authorised to receive and register the votes. Place the unopened plain envelope containing the completed ballot paper in the ballot box.
12. For a ballot paper delivered to the school by the voter, the voter places the blank envelope containing the ballot paper in the ballot box and prints his/her name and address in the register of voters.
13. Ensure that the ballot box is kept in a secure place at all times.

## CASTING A VOTE

Each voter must complete a ballot paper by placing a mark next to the name of each candidate standing for election for whom the voter wishes to vote, up to the number of vacant positions. To cast a vote, the voter must:

- post the vote by
  - i. placing the completed ballot paper in a blank envelope; and
  - ii. placing the blank envelope in a second envelope with the voter's name and address printed on the back of this envelope; and
  - iii. posting the envelope to the principal so as to reach the principal by 4.00pm on the day of the closure of the ballot;

OR

- deliver, or arrange delivery of, the completed ballot paper to the school between the hours of 8.00am and 4.00pm on any school day up to and including the day fixed for the closure of the ballot, and place the completed ballot paper in a blank envelope, and
  - i. place the blank envelope in another envelope with the voter's name and address written on it and deliver the envelope to the person authorised to receive and register the votes, or
  - ii. place the completed ballot paper in a blank envelope in the ballot box provided and print the voter's name and address in the register of voters.

## GOOD PRACTICE

- Advise voters on the process to cast their vote, either through a newsletter and/or as a separate guidance page with the ballot documents.
- Receive statements from candidates so that they can be circulated with the ballot papers. Where a candidate has not followed instructions for completing the statement, request that they revise it. Send candidates' statements with the ballot papers. Further advice about candidates' statements is included at the end of this section.
- Advise voters that anybody who wishes to use a postal vote should ensure that their vote is posted in time to reach the school by 4.00pm on the closing date of the ballot.
- Use the school website, an election newsletter, or a hand delivery system through school students, as additional means of communication with voters.
- Allocate a person to answer telephone inquiries regarding the election or casting votes during this period. Flow charts 1, 2 and 3 will assist in providing advice on, and assessing voting rights for the electorates.
- Where a school has a post box mailing address, clear the box at 4.00pm on the day of the closure of the ballot.

## STATEMENTS FROM CANDIDATES

Preparation and distribution of candidates' statements is not a requirement in the Order. However, in line with standard election procedure, principals may wish to invite candidates to prepare a brief statement to be distributed with each ballot paper. This allows each electorate to gain some background about the people standing for election.

If candidates are invited to prepare a statement, the length required should be specified by the principal. It is suggested that it be no more than 150 words. The principal should specify the type of information that could be included about the candidates, such as:

A statement from a candidate may include information about his/her:

- work experience including voluntary work
- academic and professional qualifications if applicable
- skills and abilities including those that may be useful for the council (e.g. accounting, contract management, fundraising, organising events etc)
- previous and current involvement with the school, and school council including subcommittees of school council
- reasons for standing for election and
- interests and hobbies.

## EDITING THE STATEMENTS OF CANDIDATES

The principal should not edit the candidates' statements. The principal may request a candidate to omit any part of a statement that is likely to be defamatory or offensive or inappropriate to the campaign.

If candidates provide statements that are too long, the candidate should be asked to revise the statement prior to it being circulated. If this is not done, the statement should be published using only the specified number of words.

Any instructions concerning completion should be adhered to. Failure to ensure that candidates have followed instructions for completing their statements has resulted in the lodging of grievances.

Principals can place candidates' statements into one word document, in the order that the candidates' names are listed on the ballot paper. Principals can re-format the statements to the extent that font size and spacing is consistent across the document.



# STAGE FOUR: BALLOT COUNT AND DECLARING POLL

## INDICATIVE TIMEFRAME

This stage starts as soon as possible after the close of ballot.

## INTENDED OUTCOMES AT THIS STAGE

- The secrecy of the ballot and integrity of the electoral process are maintained during the vote count and declaration of the poll.

## REQUIREMENTS – STEPS TO BE TAKEN

1. On the date fixed for the closure of the ballot, or as soon as practicable after that date, preside at the counting of the votes and the declaration of the poll.
2. The declaration of the poll may coincide with any other school meeting.
3. Inform each candidate of the date, time and place for the counting of votes and of the right to appoint one scrutineer each to observe the counting of the votes (refer to Note 2 for advice to scrutineers).
4. Appoint not less than two tellers, being persons who are not candidates for election, to:
  - a. count, in the presence of any scrutineers, the number of votes cast for each candidate
  - b. report the result to the principal and
  - c. carry out any other duties in respect of the election as required by the principal.
5. Any ballot paper that:
  - a. is not received by the principal or placed in the ballot box at the time of the closure of the ballot, or
  - b. is not properly and clearly marked, or
  - c. does not comply with the provisions of the Order shall be rejected as invalid.
6. A scrutineer shall be removed from the counting of votes at the direction of the principal if the scrutineer interferes with the counting procedures.
7. At the conclusion of the counting of the votes, rank the candidates standing for election to the Parent, DET employee and Student member categories in accordance with the total number of votes received by each candidate and, if requested, disclose the voting figures. Refer to Appendix B for some examples of assessing the requirement for an election and determining election results.
8. For the purpose of ranking the candidates, if there is a tie between some or all of the candidates standing for election in any membership category, determine the ranking of the candidates by the drawing of lots.
9. Formally declare to be elected as members of the Parent member category of the school council, the highest ranking candidates up to the number of vacancies to be filled in that category. However, the principal shall not formally declare to be elected, any candidate seeking election to the Parent member category who is a DET employee if such a declaration would result in half, or more than half, of the school council's total membership being DET employees.
10. Formally declare to be elected as members of the DET employee member category of the school council the highest ranking candidates up to the number of vacancies to be filled in the DET employee member category.
11. Formally declare to be elected as members of the Student member category of the school council the highest ranking candidates up to the number of vacancies to be filled in the Student member category.
12. Notify all persons standing for election of the results of the election within 48 hours of the declaration of the poll.
13. After the declaration of the poll, the principal must:
  - a. retain the ballot papers in the school for 12 months, after which the ballot papers must be destroyed unless the principal has been instructed otherwise by the Secretary of the Department, and
  - b. retain all results and related information other than ballot papers in the school for 12 months, after which time the results and related information may be destroyed unless the principal has been instructed otherwise by the Secretary of the Department.
14. Advise any person who raises a grievance arising out of the conduct of the election that a complaint in writing may be made to the principal within 14 days of the date of the declaration of the poll.
15. If a principal receives a complaint about the conduct of an election he/she must refer that complaint to the appropriate Regional Director as soon as possible. Refer to the Complaints process/conduct of an election on page 7.

## GOOD PRACTICE

- Develop and use a simple system to record the number of valid votes cast for each candidate and be satisfied with the total number of votes before declaring the poll.
- Re-examine invalid votes to decide if they are valid or invalid. Refer to Note 3 for advice on how to determine invalid votes.
- Record and maintain a register of any issues raised by the scrutineers and decisions reached.
- Maintain the secrecy of the ballot, and not open voting papers until the scheduled time of the vote count.
- Maintain the confidentiality of the state of the ballot at all times until satisfied that the result is correct.

## NOTE 2: SCRUTINEERS FOR THE VOTE COUNT

- A scrutineer is entitled to be present and observe the opening of envelopes containing ballot papers, the examination of envelopes and ballot papers and counting of the votes. However, the scrutineer is not entitled to be involved in or interfere with the process.
- Should a scrutineer wish to challenge the validity of a particular ballot paper, he/she should draw this to the attention of the presiding officer (the principal or his/her delegate), who will then decide on its validity.
- The decision of the principal or his/her appointee is final.
- If there is a tie between some or all of the candidates standing for election in any membership category, each scrutineer is entitled to be present while the principal determines the ranking of the candidates by the drawing of lots.

## NOTE 3: HOW TO DETERMINE INVALID VOTES

The method for marking a ballot paper is not prescribed and hence ticks, crosses and numbers are all valid and should be interpreted as voting for a particular candidate. A ballot paper shall be rejected as invalid if:

- it is not received by the principal or placed in the ballot box by 4.00pm on the day of the closure of the ballot
- it is not properly and clearly marked
- the voter marks the names of more candidates than he/she is entitled to vote for
- in any other way it is unclear from the ballot paper for whom the vote is intended
- there is reasonable cause to believe that the ballot paper was not an official ballot paper, i.e. one that is not easily authenticated by, for example, a signature or school stamp
- from the postmark on the outer envelope, the principal is satisfied that it was posted after the poll closure date
- it does not comply with any other requirement.

# STAGE FIVE: SPECIAL AND FIRST COUNCIL MEETINGS AFTER THE POLL

## INDICATIVE TIMEFRAME

This stage starts as soon as practicable after the declaration of the poll and is managed by the principal.

## INTENDED OUTCOMES AT THIS STAGE

- The co-option of Community members and election of office-bearers is completed to finalise the election process.

## GOOD PRACTICE FOR APPOINTING COMMUNITY MEMBERS

- In consultation with elected council members, assess the skill mix required for the council to function effectively and consider what skills gaps can be filled through appointing Community members. School governance support materials to assist this process are available on the Department's page: [School Councils](#).
- Conduct informal consultations with newly elected and existing council members to discover potential Community members for co-option.
- Seek prior consent from potential Community members for their co-option to the Council.
- Refer to [Benefits of co-opting community members to school councils](#) on the Department's school council web site page. Information and guidance on the benefits of community co-option is provided to school council, for their consideration.

## REQUIREMENTS – STEPS TO BE TAKEN

1. If a school council is required to have Community members co-opted to the school council, the principal must as soon as practicable after the declaration of the poll and before office bearers are elected, call, and preside at, a special meeting for the purpose of co-opting the Community members. The principal will then call, and preside at, the first meeting of the school council to elect office bearers.
  - a. At the special meeting the quorum is constituted if not less than one-half of the members of school council currently holding office are present.
  - b. If the purpose of co-option of Community members cannot be achieved at this meeting, the meeting may be adjourned to a date decided by the council.
2. If a school council is not required to have Community members co-opted to the council, the principal must call, and preside at, the first meeting of the school council to elect a president and any other office bearers the council may choose to have. As executive officer of council and a DET employee, the principal has a vote at the meeting. A DET employee is ineligible to serve as president or vice-president if the council choose to elect one. The school business manager is ineligible to serve as treasurer. The quorum requirements of this meeting are that not less than one half of school council members currently holding office are present, and the majority of members present must not be DET employees.
3. In the election of an office bearer, if the votes are tied, the school council may
  - a. decide to hold a new election for the office bearer position
  - b. decide the election by the drawing of lots.
4. If a new election for the office bearer position is held and is tied again, the school council may
  - a. decide to conduct further elections until the election of the office bearers is decided; or
  - b. decide the election by the drawing of lots.
5. Once members and office bearers are elected or co-opted to the school council, inform the school community of the names of the members and office bearers.
6. Report to the school council the number of votes cast by the DET employee electorate, by the Parent electorate and the Student electorate of the school.

- c. If the co-option of Community members either cannot be resolved at the special meeting or on resumption of the adjourned special meeting, the school council may proceed to the first meeting of the school council to elect office bearers.

# STAGE SIX: POST-ELECTION COMPLIANCE INDICATIVE TIME FRAME

The post-election compliance stage starts following the co-option of Community members and election of office bearers and operates throughout the year.

## INTENDED OUTCOMES AT THIS STAGE

- Compliance requirements post-election, including the filling of casual vacancies, are completed, within specified timeframes and according to the Order and other relevant regulations.

## REQUIREMENTS FOLLOWING COUNCIL ELECTIONS

### Schedule 7 School Council Membership.

#### Online Completion.

#### Following the school council elections in Term 1:

1. By 30 April 2020 the principal must complete the online Schedule 7 through eduGate. This information informs the Secretary of the Department of the names of the members, membership category, gender, term of office, as well as identification of office bearers and vacancies, and provide notification of whether the member is a DET employee.
  2. The **school login details** must be used to complete the online Schedule 7. The steps are as follows:
    - Open the Schedule 7 online system at the eduGate portal [School Council Membership Schedule](#)
    - Your name should appear in the top, right-hand side of the screen.
    - Click on your name and select 'sign in as different user' from the drop down menu.
    - Enter the school's username and password and click 'ok'.
    - You will see the membership of your school council according to its constituting Order across the top of the screen.
    - Update all membership details. Add new members and their details. Where members are continuing, revise their term of office dates. Include **all vacancies** by entering 'vacant' as the member name. Delete members who are no longer on school council and any unnecessary rows.
    - Check all entered data for accuracy. Ensure the total of the currently entered membership (including vacancies) at the top of the form matches with the council constituting Order. Print, sign and date the form.
  3. The Department may provide the name of the principal and the school council president to the Victorian Public Sector Commission for inclusion on the Government Appointments and Public Entity database for statistical purposes. The Department will also provide the Victorian Public Sector Commission with the total number of school councillors.
  4. Throughout the year, if required:
    - Assist in the co-option process for filling casual vacancies (refer to Appendix D for information on circumstances under which casual vacancies are created).
    - Provide advice to the school council and follow the procedures in changing the size and configuration of council membership (Schedule 9) if required.
    - As the Executive Officer of school council ensure that:
      - a. appropriate advice is provided to the school council on educational and other matters
      - b. the decisions of the school council are implemented
      - c. support and resources are provided for the efficient running of school council meetings.
- **This is your school record and is kept at the school. This form is not sent to the regional or central office.**
  - Click on the calendar below the principal's name to confirm the date of completion of the form. Click the **Submit Declaration** button to complete the process.
  - The Schedule 7 must be completed and declared by 30 April 2020.
  - If membership details change during the year you can update the form by following the above process.

## UPDATE SCHOOL COUNCIL PRESIDENT DETAILS

All school council presidents must have an eduMail account. The president's details are recorded against the school council president eduMail account.

- Visit the eduMail page at [eduMail page](#)
- Enter principal's username and password.
- Click on link 'School Council President' (left side of the Account Information page) to access and update the information.
- Resetting the eduMail password for the school council president eduMail account is the same as resetting the password for staff.
- Provide the school council president with their eduMail account details and password. Encourage the president to check their account regularly.
- Enter details of the current school council president on CASES21.

## CHANGING THE SIZE OR CONFIGURATION OF COUNCIL – SCHEDULE 9

- A Ministerial Order is required to effect a change in size or configuration to a school council.
- A Schedule 9 form is used by school council to request a change in size or configuration of the school council (see page 56 of this Guide).
- A Schedule 9 request can only be made once in any 12 month period.
- The decision to submit a Schedule 9 request is made after the school council election process and within the school year of the members who approve the amendments.
- A change in size or configuration must be approved by a minimum 75 per cent majority vote of the total council membership according to its **constituting Order** and a reason provided for the request. The proposed new council size must be consistent with one of the options specified in Schedule 2 of the Order.
- If a school council is unable to achieve the minimum 75 per cent majority vote of the total council membership, a request for an exemption from that requirement can be made. The exemption request and reasons for the request should be included on the Schedule 9 form. For example: the minimum 75 per cent majority vote could not be achieved as the council has a number of vacancies it has been unable to fill.
- The online Schedule 7 listing of members' details must be an accurate reflection of the current school council membership including vacancies prior to submitting a Schedule 9 request.
- The completed Schedule 9 must be forwarded to the School Operations and Governance Unit at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au)
- A briefing and Ministerial Order will be prepared by the Legal Division for the Minister or delegate's consideration. The principal will be advised of the outcome of the request.

### PLEASE NOTE:

Councils are unable to alter the number of Student members on council. This category is fixed at two members.  
Councils are also unable to change the number of Nominee members.

# APPENDIX A

## FACT SHEET 1. SCHOOL COUNCIL ELECTIONS – INFORMATION FOR PARENTS

### WHAT IS A SCHOOL COUNCIL AND WHAT DOES IT DO?

All government schools in Victoria have a school council. They are legally constituted bodies that are given powers to set the broad direction of a school in accordance with their constituting Order and the *Education and Training Reform Act 2006*. In doing this, a school council is able to directly influence the quality of education that the school provides for its students.

### WHO IS ON THE SCHOOL COUNCIL?

For most primary school councils, there are several possible categories of membership:

- **A mandated elected Parent member category** – more than one-third of the total members must be from this category. DET employees can be Parent members at their child's school as long as they are not engaged in work at the school
- **A mandated elected DET employee member category** – members of this category may make up no more than one-third of the total membership of school council. The principal of the school is automatically one of these members
- **An optional Community member category** – members are co-opted by a decision of the council because of their special skills, interests or experiences. DET employees are not eligible to be Community members.
- A small number of school councils have Nominee members.

For all schools with a Year 7 and above cohort, there is an additional category of membership:

- **A mandated elected Student member category, two positions.**

Generally, the term of office for all members is two years. The term of office of half the members expires each year, creating vacancies for the annual school council elections.

### WHY IS PARENT MEMBERSHIP SO IMPORTANT?

Parents on school councils provide important viewpoints and have valuable skills that can help inform and shape the direction of the school.

Those parents who become active on a school council find their involvement satisfying and may also find that their children feel a greater sense of belonging.

### DO I NEED SPECIAL EXPERIENCE TO BE ON SCHOOL COUNCIL?

Each member brings their own valuable life skills and knowledge to the role. However, councillors may need to develop skills and acquire knowledge in areas that are unfamiliar to them. It is important to have an interest in your child's school and the desire to work in partnership with others to help shape the school's future.

### CODE OF CONDUCT FOR SCHOOL COUNCILLORS

School councils in Victoria are public entities as defined by the *Public Administration Act 2004*. School councillors must abide by the Code of Conduct for Directors of Victorian Public Entities issued by the Victorian Public Sector Commission. The Code of Conduct is based on the Victorian public sector values and requires councillors to:

- **act with honesty and integrity** (be truthful, open and clear about their motives and declare any real, potential or perceived conflict of interest and duty)
- **act in good faith in the best interests of the school** (work cooperatively with other councillors and the school community, be reasonable, and make all decisions with the best interests of students foremost in their minds)
- **act fairly and impartially** (consider all relevant facts of an issue before making a decision, seek to have a balanced view, never give special treatment to a person or group and never act from self interest)
- **use information appropriately** (respect confidentiality and use information for the purpose for which it was made available)
- **exercise due care, diligence and skill** (accept responsibility for decisions and do what is best for the school)
- **use the position appropriately** (not use the position as a councillor to gain an advantage)
- **act in a financially responsible manner** (observe all the above principles when making financial decisions)
- **comply with relevant legislation and policies** (know what legislation and policies are relevant for which decisions and obey the law)
- **demonstrate leadership and stewardship** (set a good example, encourage a culture of accountability, manage risks effectively, exercise care and responsibility to keep the school strong and sustainable).

## INDEMNITY FOR SCHOOL COUNCIL MEMBERS

School councillors are indemnified against any liability in respect of any loss or damage suffered by the council or any other person in respect of anything necessarily or reasonably done, or omitted to be done by the councillor in good faith in:

- a. the exercise of a power or the performance of a function of a councillor, or
- b. the reasonable belief that the act or omission was in the exercise of a power or the performance of a function of a council.

In other words, school councillors are not legally liable for any loss or damage suffered by council or others as a result of reasonable actions taken in good faith.

## HOW CAN YOU BECOME INVOLVED?

The most obvious way is to participate in and vote in the school council elections, which are held in Term 1 each year. However, ballots are only held if more people nominate as candidates than there are positions vacant.

In view of this, you might consider:

- standing for election as a member of the school council
- encouraging another person to stand for election.

### SCHOOL COUNCIL INDUCTION VIDEO

The school council induction video provides a summary of the purpose and responsibilities of school councils as well as the roles and responsibilities of school councillors. The video can be viewed on the Department's website at [School Councils](#).

## WHAT DO YOU NEED TO DO TO STAND FOR ELECTION?

The principal will issue a Notice of Election and Call for Nominations following the commencement of Term 1 each year. All school council elections must be completed by the end of March unless the usual time line has been varied by the Minister.

If you decide to stand for election, you can arrange for someone to nominate you as a candidate or you can nominate yourself in the Parent member category.

DET employees whose child is enrolled in a school in which they are not engaged in work, are eligible to nominate for Parent membership of the school council at that school.

Once the nomination form is completed, return it to the principal within the time stated on the Notice of Election. You will receive a Nomination Form Receipt via post, email or by hand following the receipt of your completed nomination.

Generally, if there are more nominations received than there are vacancies on council, a ballot will be conducted during the two weeks after the call for nominations has closed.

## REMEMBER

- Consider standing for election to school council.
- Ask at the school for help if you would like to stand for election and are not sure what to do.
- Be sure to vote if the election goes to ballot.

Contact the principal for further information.

## **FACT SHEET 2. INFORMATION FOR PRINCIPALS REGARDING THE STUDENT MEMBER COUNCIL ELECTIONS**

### **HOW MANY STUDENT MEMBER POSITIONS ARE THERE ON SCHOOL COUNCIL?**

All Victorian government schools with a student cohort of Year 7 and above will have **two** Student member positions on school council.

### **WHICH STUDENTS ARE ELIGIBLE TO STAND FOR ELECTION?**

To be eligible to run in the Student member category, that person must be a student enrolled in Year 7 or above at the school where they are seeking to be on council. There is no minimum age requirement.

### **WHICH STUDENTS ARE ELIGIBLE TO NOMINATE AND/OR VOTE FOR THE STUDENT MEMBER CATEGORY?**

To be eligible to nominate and/or vote for a person to be elected to the Student member category, that person must be a student who is enrolled at the school in Year 7 or above. There is no minimum age requirement.

### **DO STUDENTS HAVE THE SAME RIGHTS AND RESPONSIBILITIES AS OTHER COUNCIL MEMBERS?**

Student member school councillors have the same rights and responsibilities as all other council members. They are full voting members and are expected to prepare for and attend all council meetings.

Student members are ineligible to hold any school council office bearer position.

### **CAN A PARENT AND CHILD BE ON THE SAME COUNCIL?**

Yes, relatives are allowed to be members of the same council.

### **CAN STUDENTS CO-OPTED TO THE COMMUNITY MEMBER CATEGORY BE TRANSFERRED TO THE STUDENT MEMBER CATEGORY?**

Students who are currently Community members on council may choose to remain in this category or may choose to seek election to the Student member category. If a student Community member is successful in being elected to a Student member position, the student, upon accepting the new position will automatically be considered as having resigned from their Community member position, thereby creating a casual vacancy in that Community member position.

Councils are unable to simply transfer students who have been co-opted to a Community member position to the Student member category.

### **NOMINATIONS FOR SCHOOL COUNCIL**

Unlike the Parent or DET employee member categories, if two Student member positions are available and in the first call for nominations only one nomination is received, the student is not automatically declared elected. The principal will immediately post, in a prominent place in the school, a notice calling for further nominations. These nominations are to be received within three school days from the closing of the first call for nominations.

If, after the second call for nominations, one other nomination is received, then both students are appointed to council.

After the second call for nominations if the total number of nominations exceeds the number of vacancies then all nominees will go to ballot. The two students with the most votes will serve as the Student members on school council.

### **HOW LONG IS THE TERM OF OFFICE FOR STUDENT MEMBERS?**

Generally, the term of office for all members is two years. The term of office of half the members expires each year, creating vacancies for the annual school council elections.

Students voted onto council will be elected to council for a two year term of office. If a student resigns prior to the end of their two year appointment, a casual vacancy is created and is filled through co-option, by council.

### **WHAT HAPPENS IF THERE ARE TIED VOTES IN THE BALLOT?**

If there is a tie between some or all of the candidates standing for election the successful candidates will be determined by the drawing of lots.



## DO YEAR 12 STUDENTS SERVE A TWO YEAR TERM OF OFFICE?

All Student members elected to council are elected to a two year term of office. Where a student who is a member of the Student member category on school council ceases to be enrolled in the school, a casual vacancy will be created for the remainder of the term of office.

For example, Year 12 students who are serving a two year term once graduated are no longer enrolled at the school and therefore cannot remain on school council. These students are eligible to stay on council for the remainder of their Year 12 year, and until the school council election is held in the following year.

## CAN STUDENTS SHARE THE ROLE WITH ANOTHER STUDENT?

Councillors are not permitted to share their role. Councillors are elected to council and are expected to attend all meetings and serve their full term of office.

## ARE SCHOOL CAPTAINS AND SRC REPRESENTATIVES OFFERED A POSITION ON COUNCIL BEFORE OTHER STUDENTS?

While being the school captain, vice-captain or a member of the SRC may provide valuable leadership experience, no students can be offered a position in the Student membership category based on their standing within the school.

School captains and SRC members are not automatic council members. Voting for school captains, SRC representatives and Student members on school council are three distinct and separate processes. Any student interested in being a Student member of their school council is required to run for election.

## CAMPAIGN RULES FOR STUDENT MEMBERS AND STUDENT ELECTORATE

Campaign rules differ slightly for students. Campaign literature supporting Student member candidates for school council elections may only be distributed and posted in certain places in the school grounds as designated by the principal.

The Department recommends that campaign literature not be distributed during teaching hours. Principals may decide that campaign literature be limited to: posters on the school's notice board and/or flyers distributed at lunch time on certain days of the week and/or information posted on the school's social media account(s).

School resources may not be used to support particular candidates or groups of candidates.

The principal should invite candidates to prepare a brief statement to be distributed with each ballot paper. The length is specified by the principal and is usually no longer than 150 words.

## ARE STUDENTS ABLE TO ATTEND SCHOOL COUNCIL TRAINING?

Students are encouraged to attend face-to-face training offered by the Department, in consultation with the principal. The principal is responsible for providing evidence of parent/carer permission to the training providers should the student participate in training.

The training uses the Improving School Governance package and is at no cost to schools. Training is available in the following modules: Governance, Strategic Planning and Finance. Please see the *Principals Guide to School Council Elections* for further information or contact the School Operations and Governance Unit at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au)

## FACT SHEET 3. INFORMATION FOR STUDENTS SEEKING ELECTION TO COUNCIL

### WHAT IS A SCHOOL COUNCIL AND WHAT DOES IT DO?

All government schools in Victoria have a school council. School councils are legal entities that are given powers to set the broad directions of a school in accordance with their constituting Orders and the *Education and Training Reform Act 2006*. In doing this, a school council is able to directly influence the quality of education that the school provides for its students.

### WHAT ARE SOME OF THE DUTIES OF A SCHOOL COUNCILLOR?

The school council has particular functions in setting and monitoring the school's direction.

School councils have key responsibilities:

- **Finance:** overseeing the development and expenditure of the school's annual budget and ensuring proper records are kept of the school's financial operation.
- **Strategic planning:** participating in the development and monitoring of the school strategic plan.
- **Policy development and review:** developing, reviewing and updating selected policies that reflect the school's values and support the school's broad direction outlined in its strategic plan.
- **Community engagement:** informing itself of community views and stimulating community interest in the school.

Other key functions of school councils may include:

- raising funds for school related purposes
- maintaining school grounds and facilities
- entering into contracts
- reporting annually to the school community and the Department
- creating interest in the school in the wider community
- representing and taking the views of the community into account
- regulating and facilitating after-hours use of school premises and grounds
- operating a children's service at the school.

### WHY IS STUDENT MEMBERSHIP SO IMPORTANT?

Students have a unique perspective on learning, teaching and schools. Having student members on school council allows students to have a say in the future direction of their school and ensures student input into decision making.

Student representation on secondary school councils will assist in the development of students' skills, including leadership skills and communication skills.

### DO I NEED SPECIAL EXPERIENCE TO BE ON SCHOOL COUNCIL?

Each member brings their own valuable skills and knowledge to the role. However, councillors may need to develop skills and acquire knowledge in areas that are unfamiliar to them in order to perform their duties as a councillor.

Student members are encouraged to acquire this knowledge by attending the Department's free face-to-face Improving School Governance school council training to support them to undertake their role. Training is also available online.

### WHO IS ON THE SCHOOL COUNCIL?

For all schools with a student cohort of Year 7 and above, there are several possible categories of school council membership:

- **A mandated elected Parent member category** – more than one-third of the total members must be from this category. Parents and carers of children attending the school are eligible for membership in this category.
- **A mandated elected DET employee member category** – members of this category may make up no more than one-third of the total membership of school council. The principal of the school is automatically a member of this category.
- **A mandated elected Student member category (two positions)** – members of this category are enrolled at the school and in Year 7 or above.
- **An optional Community member category** – members are co-opted by a decision of the council because of their special skills, interests or expertise. DET employees are not eligible to be a Community member.
- A small number of school councils have Nominee members.

### HOW MANY STUDENT MEMBER POSITIONS ARE THERE ON SCHOOL COUNCIL?

All Victorian government schools with a student cohort of Year 7 and above will have **two** mandated Student member positions on school council.

## **CAN I SHARE THE ROLE WITH ANOTHER STUDENT?**

Councillors are not permitted to share their role. Councillors are elected to council and are expected to attend all meetings and serve their full term of office.

## **ARE SCHOOL CAPTAINS AND SRC REPRESENTATIVES OFFERED A POSITION ON COUNCIL BEFORE OTHER STUDENTS?**

While being the school captain, vice-captain or a member of the SRC can provide valuable leadership experience, no students can be offered a position in the Student member category based on their standing within the school.

School captains and SRC members are not automatic council members. Voting for student leaders at the school, such as school captains and SRC representatives, is a distinct and separate process to voting for Student school council members.

Any student interested in being a Student member of their school council is required to run for election like other council members.

## **HOW LONG IS THE TERM OF OFFICE?**

Generally, the term of office for all council members is two years. The term of office of half the members in each category expires each year, creating vacancies for the annual school council elections.

Students voted onto council will be elected to council for a two year term of office.

## **WHAT HAPPENS IF THERE ARE TIED VOTES?**

If there is a tie between the candidates standing for election, the successful candidates will be determined by the drawing of lots.

Now that the student membership category has been established, it is likely that one student will be elected each year. If a student member resigns prior to the end of their term of office, a casual vacancy is created. The casual vacancy is filled through the co-option process by school council.

## **WHAT DO I NEED TO DO TO STAND FOR ELECTION?**

The principal will issue a Notice of Election and Call for Nominations following the start of Term 1 each year.

If you decide to stand for election, you can arrange for a student in Year 7 or above at your school to nominate you as a candidate or you can nominate yourself (self-nomination) for the Student category.

Once the nomination form is completed, it should be returned to the principal within the stated time. You will receive a Nomination Form Receipt following the receipt of the completed nomination.

## **ARE THERE ANY RULES ON HOW I CAMPAIGN?**

Campaign literature supporting Student member candidates for school council elections may only be distributed and posted in certain places and times as designated by the principal of your school.

School resources may not be used to support candidates.

The principal may invite candidates to prepare a brief statement to be distributed with each ballot paper. The length of the candidate statement is specified by the principal and is usually no longer than 150 words.

## **NOMINATIONS FOR SCHOOL COUNCIL**

If one student vacancy is available and only one student nominated, then the student is duly elected.

Unlike the Parent or DET employee member categories, if two Student member positions are available and in the first call for nominations only one nomination is received, the student is not automatically declared elected. The principal will immediately post, in a prominent place in the school, a notice calling for further nominations. These nominations are to be received within three school days from the closing of the first call for nominations.

If after the second call for nominations one other nomination is received, then both students are appointed to council.

After the second call for nominations if the total number of nominations exceeds the number of vacancies then all nominees will go to ballot. The two students with the most votes will serve as the Student members on school council.

## **HOW DO I KNOW WHICH STUDENTS ARE STANDING FOR ELECTION?**

If the number of nominations exceeds the number of vacant positions, a ballot will be held.

Student names will be listed in random order on the voting/ballot paper.

The principal may invite candidates to prepare a brief statement to be distributed with each ballot paper. The candidate statements will be placed in the same order as listed on the ballot papers.

## **HOW DO I VOTE?**

At least seven days before the date fixed for the closure of the ballot, the principal will arrange delivery of the ballot papers.

A securely sealed ballot box or boxes in the case of multiple school campuses will be available for the casting of votes at the school between the hours of 8.00am and 4.00pm on every school day up to and including the day of the closure of the ballot.

A voter must not vote more than once in a ballot and may either post the vote back to the school or deliver the completed ballot paper to the school. The principal or school staff will provide advice on how to return the completed ballot paper.

## SCHOOL COUNCIL MEETINGS

School councils must meet at least eight times a year and at least once per school term. The president chairs all meetings and all members of the council are expected to attend.

Councillors can attend meetings in person or by videoconferencing or teleconferencing.

Following the school council elections, council members will determine an appropriate time and location to hold meetings throughout the year. For example, council may agree that meetings will take place on the first Wednesday of each month in the school library.

For most school councils, meetings are located at the school and are held in the evening to ensure the majority of members can attend. Meetings typically last for around 2.5 hours.

You will need to discuss and arrange transport options to and from the meeting with your parent or carer. The school council does not provide transport.

The principal, in consultation with the school council president, will ensure an agenda is prepared for each regular meeting and will distribute the agenda, draft minutes from the previous meeting and meeting papers such as subcommittee reports, principal's and president's report to school council members. These documents will be provided approximately five days before the meeting. All members, including Student members are expected to read all documents and prepare in advance of each meeting.

## CONFLICT OF INTEREST

If you, as a member of council, or your immediate family has a direct conflict of interest, including a pecuniary\* interest in with a matter under discussion at a school council meeting, that member must declare the conflict of interest and must not be present during the discussion unless invited to do so by the person presiding at the meeting. The member will not be involved in any voting associated with the matter at hand.

\*For this purpose, pecuniary is defined as: relating to or consisting of money.

## WHAT IF I CANNOT ATTEND A COUNCIL MEETING?

If a member is unable to attend a meeting, an apology should be submitted to the principal prior to the meeting.

A member of the school council may apply in writing to the president for extended leave of up to three consecutive meetings.

## IS THERE TRAINING THAT I CAN ATTEND?

School councillors can attend face-to-face training offered statewide. The training uses the Improving School Governance package and is at no cost to school council members. Training is available in the following modules for students: Governance, Strategic Planning and Finance.

Students are encouraged to attend the training offered by the Department in consultation with the principal. The principal is responsible for providing evidence of parent/carer permission to the training providers should the student participate in training.

The modules are also accessible as online training. Participants can complete the modules at their own pace, in any order and are able to return to each module as many times as necessary. To access the online training see the Department's [School Councils](#) web page.

## CAN A SCHOOL COUNCIL TELL A TEACHER WHAT TO DO?

A school council cannot issue instructions to teachers regarding their professional duties, or to employees of the Department in respect of their duties at the school. That role is the responsibility of the principal. If a school council has developed a school policy on certain matters and that policy is consistent with Department policy the council can expect the school staff will implement the policy.

## IS THERE FURTHER INFORMATION AVAILABLE REGARDING THE ROLES AND RESPONSIBILITIES OF SCHOOL COUNCILS?

Further information on the roles and responsibilities of school councillors is available on the Department's website at: [School Councils](#) or in the School Policy and Advisory Guide at [School Councils](#).

### SCHOOL COUNCIL INDUCTION VIDEO

The school council induction video provides a summary of the purpose and responsibilities of school councils as well as the roles and responsibilities of school councillors. The video can be viewed on the Department's website at [School Councils](#).

## CODE OF CONDUCT FOR SCHOOL COUNCILLORS

School councils in Victoria are public entities as defined by the *Public Administration Act 2004*. School councillors must abide by the Code of Conduct for Directors of Victorian Public Entities issued by the Victorian Public Sector Commission. The Code of Conduct is based on the Victorian public sector values and requires councillors to:

- **act with honesty and integrity** (be truthful, open and clear about their motives and declare any real, potential or perceived conflict of interest and duty)
- **act in good faith** in the best interests of the school (work cooperatively with other councillors and the school community, be reasonable, and make all decisions with the best interests of students foremost in their minds)
- **act fairly and impartially** (consider all relevant facts of an issue before making a decision, seek to have a balanced view, never give special treatment to a person or group and never act from self interest)
- **use information appropriately** (respect confidentiality and use information for the purpose for which it was made available)
- **exercise due care, diligence and skill** (accept responsibility for decisions and do what is best for the school)
- **use the position appropriately** (not use the position as a councillor to gain an advantage)
- **act in a financially responsible manner** (observe all the above principles when making financial decisions)
- **comply with relevant legislation and policies** (know what legislation and policies are relevant for which decisions and obey the law)
- **demonstrate leadership and stewardship** (set a good example, encourage a culture of accountability, manage risks effectively, exercise care and responsibility to keep the school strong and sustainable).

## INDEMNITY FOR SCHOOL COUNCIL MEMBERS

School councillors are indemnified against any liability in respect of any loss or damage suffered by the council or any other person in respect of anything necessarily or reasonably done, or omitted to be done by the councillor in good faith in:

- a. the exercise of a power or the performance of a function of a councillor, or
- b. the reasonable belief that the act or omission was in the exercise of a power or the performance of a function of a council.

In other words, school councillors are not legally liable for any loss or damage suffered by council or others as a result of reasonable actions taken in good faith.

For further information please contact your school principal.

## FACT SHEET 4. INFORMATION FOR PARENTS OF CHILDREN SEEKING ELECTION TO SCHOOL COUNCIL

### WHAT IS A SCHOOL COUNCIL AND WHAT DOES IT DO?

All government schools in Victoria have a school council. School councils are legal entities that are given powers to set the broad directions of a school in accordance with their constituting Orders and the *Education and Training Reform Act 2006*. In doing this, a school council is able to directly influence the quality of education that the school provides for its students.

### WHO IS ON THE SCHOOL COUNCIL?

For all schools with a student cohort of Year 7 and above, there are several possible categories of school council membership:

- **A mandated elected Parent member category** – more than one-third of the total members must be from this category. Parents and Guardians of children attending the school are eligible for membership in this category.
- **A mandated elected DET employee member category** – members of this category may make up no more than one-third of the total membership of school council. The principal of the school is automatically a member of this category.
- **A mandated elected Student member category (two positions)** – members of this category are enrolled at the school and in Year 7 or above.
- **An optional Community member category** – members are co-opted by a decision of the council because of their special skills, interests or expertise. DET employees are not eligible to be a Community member.
- A small number of school councils have Nominee members.

### HOW LONG IS THE TERM OF OFFICE?

Generally, the term of office for all members is two years. The term of office of half the members expires each year, creating vacancies for the annual school council elections.

### WHY IS STUDENT MEMBERSHIP SO IMPORTANT?

Students have a unique perspective on learning, teaching and schooling. Electing Student members onto school council allows all students to have a say in the future direction of their school and ensures student input into decision making.

Student representation on secondary school councils assists in the development of students' skills, including leadership skills, and communication skills.

### DOES MY CHILD NEED SPECIAL EXPERIENCE TO BE ON SCHOOL COUNCIL?

Each member brings their own valuable skills and knowledge to the role. However, councillors may need to develop skills and acquire knowledge in areas that are unfamiliar to them in order to perform their duties as a councillor.

Student members are encouraged to attend the Department's free face-to-face school council training, using the Improving School Governance modules to support them to undertake their role. Training is also available online.

### WHAT DOES MY CHILD NEED TO DO TO STAND FOR ELECTION?

The principal will issue a Notice of Election and Call for Nominations following the start of Term 1 each year.

If your child decides to stand for election, they can arrange for a student in Year 7 or above to nominate them as a candidate or they can nominate themselves for the Student member category.

Once the nomination form is completed, it should be returned to the principal within the time stated on the Notice of Election. A Nomination Form Receipt will be issued following the receipt of the completed nomination.

If one student vacancy is available and one student nominates, then the student is duly elected.

Unlike the Parent or DET employee member categories, if two Student member positions are available and in the first call for nominations only one nomination is received, the student is not automatically declared elected. The principal will immediately post, in a prominent place in the school, a notice calling for further nominations. These nominations are to be received within three school days from the closing of the first call for nominations.

If after the second call for nominations one other nomination is received, then both students are appointed to council.

If there are more nominations received than there are vacancies on council, a ballot will be conducted during the two weeks after the call for nominations has closed.

The principal will distribute ballot papers and will provide clear instructions to the voters and candidates. Voters may only vote once in a ballot. The two candidates with the highest number of votes will be elected to council.

## SCHOOL COUNCIL MEETINGS

School councils must meet at least eight times a year and at least once per school term. The president chairs all meetings and all members of the council are expected to attend.

Councillors can attend meetings in person or by videoconferencing or teleconferencing.

Following the school council elections, council members will determine an appropriate time and location to hold meetings throughout the year. For example, council may agree that meetings will take place on the first Wednesday of each month in the school library.

For most school councils, meetings are located at the school and are held in the evening to ensure the majority of members can attend. Meetings typically last for around 2.5 hours.

You will need to discuss and arrange transport options to and from the meeting with your child. The school council does not provide transport.

The principal, in consultation with the school council president, will ensure an agenda is prepared for each regular meeting and will distribute the agenda, draft minutes from the previous meeting and meeting papers such as subcommittee reports, principal's and president's report to school council members. These documents will be distributed approximately five days before the meeting. All members, including Student members are expected to read all documents and prepare in advance of each meeting.

## CONFLICT OF INTEREST

If your child, as a member of council, or their immediate family has a direct conflict of interest, including a pecuniary\* interest, in a matter under discussion at a school council meeting, that member must declare the conflict of interest and must not be present during the discussion unless invited to do so by the person presiding at the meeting. The member will not be involved in any voting associated with the matter at hand.

\*For this purpose, pecuniary is defined as: relating to or consisting of money.

## CAN I ATTEND COUNCIL MEETINGS WITH MY CHILD?

School council meetings are normally open to the school community. Visitors or observers can be present at a council meeting with prior agreement of the principal and a decision of council. A request to attend must be forwarded either to the principal or president.

There may be times when, for the purpose of confidentiality or other reasons, a council meeting needs to be closed and only the appointed members can attend.

## I AM A PARENT MEMBER OF THE COUNCIL. CAN I BE A MEMBER OF THE SAME COUNCIL AS MY CHILD(REN)?

Yes, relatives are allowed to be members of the same council.

## WHAT IF MY CHILD CANNOT ATTEND A COUNCIL MEETING?

If a member is unable to attend a meeting, an apology should be submitted to the principal prior to the meeting.

A member of the school council may apply in writing to the president for extended leave of up to three consecutive meetings.

## WHAT IF MY CHILD DECIDES THEY NO LONGER WANT TO BE A MEMBER OF COUNCIL?

The Department strongly encourages students to consider the time commitment of being on council prior to running for election.

Your child should discuss resigning from council with the principal or school council president.

A school councillor is required to formally submit their resignation from council in writing to the principal, in order to no longer be considered a member.

## CODE OF CONDUCT FOR SCHOOL COUNCILLORS

School councils in Victoria are public entities as defined by the *Public Administration Act 2004*. School councillors must abide by the *Code of Conduct* issued by the Victorian Public Sector Commission. The Code of Conduct is based on the Victorian public sector values and requires councillors to:

- **act with honesty and integrity** (be truthful, open and clear about their motives and declare any real, potential or perceived conflict of interest and duty)
- **act in good faith** in the best interests of the school (work cooperatively with other councillors and the school community, be reasonable, and make all decisions with the best interests of students foremost in their minds)
- **act fairly and impartially** (consider all relevant facts of an issue before making a decision, seek to have a balanced view, never give special treatment to a person or group and never act from self-interest)
- **use information appropriately** (respect confidentiality and use information for the purpose for which it was made available)
- **use the position appropriately** (not use the position as a councillor to gain an advantage)
- **act in a financially responsible manner** (observe all the above principles when making financial decisions)
- **exercise due care, diligence and skill** (accept responsibility for decisions and do what is best for the school)
- **comply with relevant legislation and policies** (know what legislation and policies are relevant for which decisions and obey the law)
- **demonstrate leadership and stewardship** (set a good example, encourage a culture of accountability, manage risks effectively, exercise care and responsibility to keep the school strong and sustainable).

## INDEMNITY FOR SCHOOL COUNCIL MEMBERS

School councillors are indemnified against any liability in respect of any loss or damage suffered by the council or any other person in respect of anything necessarily or reasonably done, or omitted to be done by the councillor in good faith in:

- a. the exercise of a power or the performance of a function of a councillor, or
- b. the reasonable belief that the act or omission was in the exercise of a power or the performance of a function of a council.

In other words, school councillors are not legally liable for any loss or damage suffered by council or others as a result of reasonable actions taken in good faith.

For further information please contact the school principal.

### SCHOOL COUNCIL INDUCTION VIDEO

The school council induction video provides a summary of the purpose and responsibilities of school councils as well as the roles and responsibilities of school councillors. The video can be viewed on the Department's website at [School Councils](#).



## FACT SHEET 5. NOMINATING AND VOTING OTHERS TO THE STUDENT MEMBER CATEGORY

### WHAT IS A SCHOOL COUNCIL AND WHAT DOES IT DO?

All government schools in Victoria have a school council. School councils are legally constituted bodies that are given powers to set the broad directions of a school in accordance with their constituting Orders and the *Education and Training Reform Act 2006*. In doing this, a school council is able to directly influence the quality of education that the school provides for its students.

### WHAT ARE SOME OF THE DUTIES OF A SCHOOL COUNCILLOR?

The school council has particular functions in setting and monitoring the school's direction.

School councils have key responsibilities:

- **Finance:** overseeing the development and expenditure of the school's annual budget and ensuring proper records are kept of the school's financial operation.
- **Strategic planning:** participating in the development and monitoring of the school strategic plan.
- **Policy development and review:** developing, reviewing and updating selected policies that reflect the school's values and support school's broad direction outlined in its strategic plan
- **Community engagement:** informing itself of community views and stimulating community interest in the school.

Other key functions of school councils may include:

- raising funds for school related purposes
- maintaining school grounds and facilities
- entering into contracts
- reporting annually to the school community and the Department
- creating interest in the school in the wider community
- representing and taking the views of the community into account
- regulating and facilitating after-hours use of school premises and grounds
- operating a children's service at the school.

### WHO IS ON THE SCHOOL COUNCIL?

For all schools with a student cohort of Year 7 and above, there are several possible categories of school council membership:

- a mandated elected **Parent** member category
- a mandated elected **DET** employee member category
- a mandated elected **Student** member category (two positions) – members of this category are enrolled at the school in Year 7 or above
- Many school councils have an optional **Community** member category and a small number of school councils have Nominee members.

Generally, the term of office for all members is two years. The term of office of half the members expires each year, creating vacancies for the annual school council elections.

### WHY IS STUDENT MEMBERSHIP SO IMPORTANT?

Students have a unique perspective on learning, teaching and schooling and having student members on school council allows students to have a say in the future direction of their school and ensures student input into decision making.

Student representation on secondary school councils will assist in the development of students' skills, including leadership skills and communication skills.

### DO CANDIDATES NEED SPECIAL EXPERIENCE TO BE ON SCHOOL COUNCIL?

Each member brings their own valuable skills and knowledge to the role. However, councillors may need to develop skills and acquire knowledge in areas that are unfamiliar to them in order to perform their duties as a councillor.

Student members are encouraged to acquire this knowledge by attending the Department's free face-to-face school council training using the Improving School Governance modules to support them to undertake their role. Training is also available online.

## HOW DO I NOMINATE A CANDIDATE FOR A POSITION ON COUNCIL?

The principal will issue a Notice of Election and Call for Nominations following the start of Term 1 each year.

Students can arrange for a student in Year 7 or above to nominate them as a candidate or they can nominate themselves for the Student category.

Once the nomination form is completed, it should be returned to the principal within the time stated on the Notice of Election. A Nomination Form Receipt will be issued following receipt of the completed nomination.

Generally, if there are more nominations received than there are vacancies on council, a ballot will be conducted during the two weeks after the call for nominations has closed.

## HOW DO I KNOW WHICH STUDENTS ARE STANDING FOR ELECTION?

If the number of nominations exceeds the number of vacant positions, an election/ballot process will be held.

Student names will be listed in random order on the voting/ballot paper.

The principal may invite candidates to prepare a brief statement to be distributed with each ballot paper. The candidate statements will be placed in the same order as listed on the ballot papers.

**Note:** Voting for student leaders at the school, such as school captains and SRC representatives is a distinct and separate process to voting for Student school council members.

## HOW DO I VOTE?

At least seven days before the date fixed for the closure of the ballot, the Principal will arrange delivery of the ballot papers.

A secure ballot box or boxes in the case of multiple school campuses will be available for the casting of votes at the school between the hours of 8.00am and 4.00pm on every school day up to and including the day of the closure of the ballot.

A voter must not vote more than once in a ballot and may either post the vote back to the school or deliver the completed ballot paper to the school.

The principal or school staff will provide advice on how to return the completed ballot paper.

For further information please contact the school principal.

# APPENDIX B: EXAMPLES OF ASSESSING NEED FOR ELECTION AND DETERMINING ELECTION RESULTS

## MORE NOMINATIONS THAN VACANCIES

If the number of nominations is more than the number of vacancies in one of the membership categories, a ballot is required for that membership category.

### Example 1

There are three Parent vacancies. Because of the council size and configuration only two DET parents may fill Parent member positions. Nominations are received from five people, A, B and C, all of whom are DET parents, and D and E, who are not DET employees. A ballot for the three positions has to be held. Use Schedule 6A.

The candidates receive the following number of votes:

- a. 250 votes
- b. 230 votes
- c. 130 votes
- d. 125 votes
- e. 85 votes

The people to be declared elected are A, B and D. Candidate C, who is in the DET parent category, is not elected because of the limit on the number of parents who are DET employees on council.

### Example 2

There are three Parent vacancies. Given the size and configuration of the council, only two DET parents may fill Parent member positions. Nominations are received from three people all of whom are DET parents. Only two of these people can be elected, therefore a ballot needs to be held.

With respect to the one remaining position, a further call for nominations needs to be made in accordance with procedures for insufficient nominations. If more than one nomination is received for this final position a separate ballot will need to be conducted. Use Schedule 6C for both ballots.

## NOMINATIONS EQUAL THE NUMBER OF VACANCIES IN THE PARENT AND DET CATEGORIES

When the number of nominations is equal to the number of vacancies in any one membership category, the principal must:

- check the number of DET employee/parent nominations in the Parent member category to ensure this does not exceed the number allowed;
- subject to the above, declare elected those who have nominated;

- notify the school community within three school days that a ballot will not be held for that membership category.

## INSUFFICIENT NOMINATIONS IN THE PARENT AND DET CATEGORIES

When the number of nominations is less than the number of vacancies in any one membership category, the principal must:

- check the number of DET employee/parent nominations in the specific member category to ensure this does not exceed the number allowed
- subject to the above, declare elected those who nominated in that category
- immediately call for further nominations. Nominations are to be lodged within three school days from the date of the closing of the first call for nominations
- if the further nominations are equal to or are less than the remaining positions in that membership category, declare these people duly elected. Any positions remaining unfilled become casual vacancies
- if there are more nominations than the remaining positions, conduct a ballot for the remaining positions. The original timeline must be adhered to so notice must be distributed at least seven days prior to the day fixed for the closure of the ballot.

## INSUFFICIENT NOMINATIONS IN THE STUDENT ELECTORATE

For Student member elections:

- If one student vacancy is available and one student nominates, then the student is duly elected.
- If two Student member positions are available and in the first call for nominations only one nomination is received, the student is not automatically declared elected.
- If, after the second call for nominations one other nomination is received, then both students are appointed to council.
- If the total number of nominations received in this round exceeds the number of vacancies then all nominees will go to ballot.
- If there is one vacancy in the Student electorate and there are no nominations, call for a second round of nominations. After the second call for nominations if the total number of nominations submitted exceeds the number of vacancies, then all nominees will go to ballot.

# APPENDIX C: NEW SCHOOLS – THE FIRST SCHOOL COUNCIL ELECTION

To start the first school council election process for newly established schools, the principal posts or arranges delivery of Schedule 3 Notice of Election and Call for Nominations to the electorates of the school - Parent, DET employee and Student, if applicable, as well as placing the Notice in a prominent position in the school within the timeframe set out in the constituting Order for the school council.

The principal identifies the number of positions to be the subject of the election by referring to Schedule 1 of the school council's constituting Order which can be accessed online at [Schedule 7 School Council Membership Schedule](#).

Further information on school council membership and eligibility is located on Flow chart 4 in this Guide.

## TERM OF OFFICE

The first school council election of a new school, will result in half the number of members in each of the Parent, DET employee and Student electorates serving a term of office from the date of their election to the date of declaration of the poll in the following year. The other half of the membership will serve from the date of their election to the date of declaration of the poll in the second calendar year following their election.

To determine which members, elected by ballot, serve a two or one year term of office, the members with the greatest number of votes serve the longer term of office and those with the lesser number of votes serve the shorter term of office.

Where all the members in a membership category are not elected by ballot, the members in that membership category may decide (by agreement amongst themselves) their term of office. Failing agreement, the term of office shall be determined by the drawing of lots. The decision on the term of office will be made at the first meeting of the new elected council.

# APPENDIX D: CASUAL VACANCIES

A casual vacancy is created when a council member:

- dies
- becomes bankrupt
- becomes of unsound mind
- delivers or emails a letter of resignation to the school office or to the president of the school council
- is sentenced for any indictable offence
- is a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*
- ceases to be eligible for the particular membership category under which he/she was elected or co-opted
- is absent from three consecutive council meetings without special leave previously granted by council and is subject to a decision of council
- in the DET employee member category goes on any form of leave (including family leave, secondment), with or without pay, from employment with DET for a period of more than six months
- in the Parent member category becomes a DET employee during their term of office in circumstances where this causes the school council to be in breach of the requirement that the majority of a school council's total membership must be persons who are not DET employees
- is found to have been ineligible for election or co-option to council
- in the Student member category, ceases to be enrolled in the school
- in the Student member category, goes on any form of leave from the school for a period of more than six months.

Where a student who is a member of the Student member category on school council ceases to be enrolled in the school, a casual vacancy will be created for the remainder of the term of office.

If Year 12 students, who are serving a two year term, graduate they are no longer enrolled at the school and therefore cannot remain on school council. However, these students are eligible to stay on council for the remainder of their Year 12 year, and until the school council election is held in the following year. A casual vacancy is also created if a member of school council is appointed as a principal of the school, other than if the appointment is temporary. An appointment for more than twelve continuous weeks shall not be considered temporary.

## HOW CASUAL VACANCIES ARE TO BE FILLED

Casual vacancies are to be filled by co-opting persons to the relevant membership category. Persons are eligible for co-option to member categories provided they are eligible to be elected to the relevant membership category.

DET employees whose children are enrolled in a school other than where they work can be co-opted to fill positions in the Parent member category subject to the availability of positions, provided there is no breach of the requirement that the majority of a school council's membership must be persons who are not DET employees.

Any person who fills a casual vacancy serves the unexpired portion of the vacating member's term of office.

The council process and decision to co-opt a new member onto school council will be recorded in the meeting minutes.

# SCHEDULE 2: SCHOOL COUNCIL MEMBERSHIP TABLE

## TABLE OF OPTIONS FOR COUNCIL MEMBERSHIP SIZE AND CONFIGURATION

Please note – does not include Student members

Total	Parent members	DET members	Community members	Max DET employees	Max DET parents*
15	6	5	4	7	2
15	6	4	5	7	3
15	6	3	6	7	4
15	6	2	7	7	5
15	6	1	8	7	6
15	7	5	3	7	2
15	7	4	4	7	3
15	7	3	5	7	4
15	7	2	6	7	5
15	7	1	7	7	6
15	8	5	2	7	2
15	8	4	3	7	3
15	8	3	4	7	4
15	8	2	5	7	5
15	8	1	6	7	6
15	9	5	1	7	2
15	9	4	2	7	3
15	9	3	3	7	4
15	9	2	4	7	5
15	9	1	5	7	6
15	10	5	0	7	2
15	10	4	1	7	3
15	10	3	2	7	4
15	10	2	3	7	5
15	10	1	4	7	6
15	11	4	0	7	3
15	11	3	1	7	4
15	11	2	2	7	5
15	11	1	3	7	6
15	12	3	0	7	4
15	12	2	1	7	5
15	12	1	2	7	6
15	13	2	0	7	5
15	13	1	1	7	6
15	14	1	0	7	6
14	5	4	5	6	2
14	5	3	6	6	3
14	5	2	7	6	4
14	5	1	8	6	5
14	6	4	4	6	2
14	6	3	5	6	3
14	6	2	6	6	4
14	6	1	7	6	5
14	7	4	3	6	2
14	7	3	4	6	3
14	7	2	5	6	4
14	7	1	6	6	5
14	8	4	2	6	2

\* A DET parent is a DET employee who has a child at the school but who is employed at another place of work.

Total	Parent members	DET members	Community members	Max DET employees	Max DET parents*
14	8	3	3	6	3
14	8	2	4	6	4
14	8	1	5	6	5
14	9	4	1	6	2
14	9	3	2	6	3
14	9	2	3	6	4
14	9	1	4	6	5
14	10	4	0	6	2
14	10	3	1	6	3
14	10	2	2	6	4
14	10	1	3	6	5
14	11	3	0	6	3
14	11	2	1	6	4
14	11	1	2	6	5
14	12	2	0	6	4
14	12	1	1	6	5
14	13	1	0	6	5
13	5	4	4	6	2
13	5	3	5	6	3
13	5	2	6	6	4
13	5	1	7	6	5
13	6	4	3	6	2
13	6	3	4	6	3
13	6	2	5	6	4
13	6	1	6	6	5
13	7	4	2	6	2
13	7	3	3	6	3
13	7	2	4	6	4
13	7	1	5	6	5
13	8	4	1	6	2
13	8	3	2	6	3
13	8	2	3	6	4
13	8	1	4	6	5
13	9	4	0	6	2
13	9	3	1	6	3
13	9	2	2	6	4
13	9	1	3	6	5
13	10	3	0	6	3
13	10	2	1	6	4
13	10	1	2	6	5
13	11	2	0	6	4
13	11	1	1	6	5
13	12	1	0	6	5
12	5	4	3	5	1
12	5	3	4	5	2
12	5	2	5	5	3
12	5	1	6	5	4
12	6	4	2	5	1

\* A DET parent is a DET employee who has a child at the school but who is employed at another place of work.

Total	Parent members	DET members	Community members	Max DET employees	Max DET parents*
12	6	3	3	5	2
12	6	2	4	5	3
12	6	1	5	5	4
12	7	4	1	5	1
12	7	3	2	5	2
12	7	2	3	5	3
12	7	1	4	5	4
12	8	4	0	5	1
12	8	3	1	5	2
12	8	2	2	5	3
12	8	1	3	5	4
12	9	3	0	5	2
12	9	2	1	5	3
12	9	1	2	5	4
12	10	2	0	5	3
12	10	1	1	5	4
12	11	1	0	5	4
11	4	3	4	5	2
11	4	2	5	5	3
11	4	1	6	5	4
11	5	3	3	5	2
11	5	2	4	5	3
11	5	1	5	5	4
11	6	3	2	5	2
11	6	2	3	5	3
11	6	1	4	5	4
11	7	3	1	5	2
11	7	2	2	5	3
11	7	1	3	5	4
11	8	3	0	5	2
11	8	2	1	5	3
11	8	1	2	5	4
11	9	2	0	5	3
11	9	1	1	5	4
11	10	1	0	5	4
10	4	3	3	4	1
10	4	2	4	4	2
10	4	1	5	4	3
10	5	3	2	4	1
10	5	2	3	4	2
10	5	1	4	4	3
10	6	3	1	4	1
10	6	2	2	4	2
10	6	1	3	4	3
10	7	3	0	4	1
10	7	2	1	4	2
10	7	1	2	4	3
10	8	2	0	4	2

\* A DET parent is a DET employee who has a child at the school but who is employed at another place of work.



Total	Parent members	DET members	Community members	Max DET employees	Max DET parents*
10	8	1	1	4	3
10	9	1	0	4	3
9	4	3	2	4	1
9	4	2	3	4	2
9	4	1	4	4	3
9	5	3	1	4	1
9	5	2	2	4	2
9	5	1	3	4	3
9	6	3	0	4	1
9	6	2	1	4	2
9	6	1	2	4	3
9	7	2	0	4	2
9	7	1	1	4	3
9	8	1	0	4	3
8	3	2	3	3	1
8	3	1	4	3	2
8	4	2	2	3	1
8	4	1	3	3	2
8	5	2	1	3	1
8	5	1	2	3	2
8	6	2	0	3	1
8	6	1	1	3	2
8	7	1	0	3	2
7	3	2	2	3	1
7	3	1	3	3	2
7	4	2	1	3	1
7	4	1	2	3	2
7	5	2	0	3	1
7	5	1	1	3	2
7	6	1	0	3	2
6	3	2	1	2	0
6	3	1	2	2	1
6	4	2	0	2	0
6	4	1	1	2	1
6	5	1	0	2	1

\* A DET parent is a DET employee who has a child at the school but who is employed at another place of work  
Please note Schedule 2 does not include Student members.

# SCHEDULE 3: NEW SCHOOLS – NOTICE OF ELECTION AND CALL FOR NOMINATIONS – FIRST SCHOOL COUNCIL ELECTION

An election is to be conducted for members of the school council of

Nomination forms may be obtained from the school and must be lodged by 4.00pm on  
 ..... / ..... / ..... (insert day, month and year).

The ballot will close at 4.00pm on  
 ..... / ..... / ..... (insert day, month and year)

The terms of office, membership categories and number of positions in each membership category open for election are as follows:

MEMBERSHIP CATEGORY	TERM OF OFFICE	NUMBER OF POSITIONS
Parent member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
Parent member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
DET employee member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
DET employee member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
Student member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
Student member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	

Following the closing of nominations, a list of the nominations received will be posted at the school.

If the number of nominations is less than the number of vacancies, a notice to that effect and calling for further nominations will be posted in a prominent position at the school.

Principal signature

# SCHEDULE 4: NOTICE OF ELECTION AND CALL FOR NOMINATIONS

An election is to be conducted for members of the school council of

Nomination forms may be obtained from the school and must be lodged by 4.00pm on

..... / ..... / ..... (insert day, month and year).

The ballot will close at 4.00pm on

..... / ..... / ..... (insert day, month and year)

The terms of office, membership categories and number of positions in each membership category open for election are as follows:

MEMBERSHIP CATEGORY	TERM OF OFFICE	NUMBER OF POSITIONS
Parent member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
DET employee member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	
Student member	From the day after the date of the declaration of the poll in 20..... to and inclusive of the date of the declaration of the poll in 20.....	

Following the closing of nominations a list of the nominations received will be posted at the school.

If the number of nominations is less than the number of vacancies, a notice to that effect and calling for further nominations will be posted in a prominent position at the school.

Principal signature

# SCHEDULE 5A: SELF-NOMINATION FORM FOR PARENT MEMBER CATEGORY

I wish to declare my candidacy for an elected position as a Parent member on the school council.

Name .....

Residential address .....

Contact phone (mobile or landline).....

Email.....

I am the parent/guardian of..... who is/are currently enrolled at this school.

## STATEMENT

I am an employee of the Department of Education and Training and not engaged in work at and for the school

Yes / No (please circle)

I am prepared to serve as a Parent member of the above-named school council. I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence; or
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.

Signature of Candidate.....Date..... / ..... / .....

## You will be notified when your nomination has been received.

Personal information provided in this form is collected as part of the school council election nomination process. The information may be used to determine your eligibility as a candidate. Your personal information may be disclosed as a result of inspection prior to the commencement of voting or at any time up to one year from the declaration of the poll.

Your name will be included in a list of school council candidates and nominators (where applicable) posted in a prominent position at the school and for candidates, on a ballot paper (where applicable). Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department of Education and Training by the principal by 30 April each year as a record of council membership and may be used for statistical purposes.

You can access your personal information by contacting the principal on: .....

*If you choose not to give some or all of the information requested your nomination may not be accepted.*

*If you have any queries about the school council nomination process, please contact the principal.*

# SCHEDULE 5B: NOMINATION FORM FOR PARENT MEMBER CATEGORY

I wish to nominate..... for an elected position as a Parent member on the school council.

## CANDIDATE'S DETAILS

Name.....

Residential address.....

Contact phone (mobile or landline).....

Email.....

I am the parent/guardian of ..... who is/are currently enrolled at this school.

## STATEMENT

The person I have nominated is an employee of the Department of Education and Training and not engaged in work at and for the school.

Yes / No (please circle)

Name of Nominator .....

Signature of Nominator .....Date..... / ..... / .....

## CANDIDATE TO COMPLETE

I accept the nomination and I am prepared to serve as a Parent member of the above-named school council. I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.

Signature of Candidate.....Date..... / ..... / .....

## You will be notified when your nomination has been received.

Personal information provided in this form is collected as part of the school council election nomination process. The information may be used to determine your eligibility as a candidate. Your personal information may be disclosed as a result of inspection prior to the commencement of voting or at any time up to one year from the declaration of the poll.

Your name will be included in a list of school council candidates and nominators (where applicable) posted in a prominent position at the school and for candidates, on a ballot paper (where applicable). Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department of Education and Training by the principal by 30 April each year as a record of council membership and may be used for statistical purposes.

You can access your personal information by contacting the principal on:.....

*If you choose not to give some or all of the information requested your nomination may not be accepted.*

*If you have any queries about the school council nomination process, please contact the principal.*

# SCHEDULE 5C: SELF-NOMINATION FORM FOR DET EMPLOYEE MEMBER CATEGORY

I wish to declare my candidacy for an elected position as a DET employee member on the ..... school council.

Name.....

Residential address.....

Contact phone (mobile or landline).....

Email.....

I am an employee of the Department of Education and Training engaged in work at and for the school  
Yes / No (please circle)

I am prepared to serve as a DET employee member of the above-named school council. I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence; or
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.

Signature of Candidate.....Date..... / ..... / .....

## You will be notified when your nomination has been received.

Personal information provided in this form is collected as part of the school council election nomination process. The information may be used to determine your eligibility as a candidate. Your personal information may be disclosed as a result of inspection prior to the commencement of voting or at any time up to one year from the declaration of the poll.

Your name will be included in a list of school council candidates and nominators (where applicable) posted in a prominent position at the school and for candidates, on a ballot paper (where applicable). Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department of Education and Training by the principal by 30 April each year as a record of council membership and may be used for statistical purposes.

You can access your personal information by contacting the principal on:.....

*If you choose not to give some or all of the information requested your nomination may not be accepted.*

*If you have any queries about the school council nomination process, please contact the principal.*

# SCHEDULE 5D: NOMINATION FORM FOR DET EMPLOYEE MEMBER CATEGORY

I wish to nominate..... for an elected position as a DET employee member on the school council.

## CANDIDATE'S DETAILS

Name.....

Residential address.....

Contact phone (mobile or landline).....

Email.....

I am an employee of the Department of Education and Training.

Yes / No (please circle)

## STATEMENT

The person I have nominated is an employee of the Department of Education and Training and is engaged in work at and for the school.

Yes / No (please circle)

Name of Nominator .....

Signature of Nominator .....Date..... / ..... / .....

## CANDIDATE TO COMPLETE

I accept the nomination and I am prepared to serve as a DET employee member of the above-named school council. I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.

Signature of Candidate.....Date..... / ..... / .....

### **You will be notified when your nomination has been received.**

Personal information provided in this form is collected as part of the school council election nomination process. The information may be used to determine your eligibility as a candidate. Your personal information may be disclosed as a result of inspection prior to the commencement of voting or at any time up to one year from the declaration of the poll.

Your name will be included in a list of school council candidates and nominators (where applicable) posted in a prominent position at the school and for candidates, on a ballot paper (where applicable).

Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department by the principal by 30 April each year as a record of council membership and may be used for statistical purposes. You can access your personal information by contacting the principal on:.....

*If you choose not to give some or all of the information requested your nomination may not be accepted.*

*If you have any queries about the school council nomination process, please contact the principal.*

# SCHEDULE 5E: SELF-NOMINATION FORM FOR STUDENT MEMBER CATEGORY

I wish to declare my candidacy for an elected position as a Student member on the..... school council.

Name.....

Residential address .....

Contact phone (mobile or landline).....

Email.....

I am enrolled in Year 7 or above at this school – Yes / No (please circle)

I have discussed standing for election to school council with my parents or guardians – Yes / No (please circle)

I have a sound understanding of the obligations and level of commitment required to participate on school council – Yes / No (please circle)

## CANDIDATE TO COMPLETE

I am prepared to serve as a Student member of the above-named school council. I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.

Signature of Candidate.....Date..... / ..... / .....

## You will be notified when your nomination has been received.

Personal information provided in this form is collected as part of the school council election nomination process. The information may be used to determine your eligibility as a candidate. Your personal information may be disclosed as a result of inspection prior to the commencement of voting or at any time up to one year from the declaration of the poll.

Your name will be included in a list of school council candidates and nominators (where applicable) posted in a prominent position at the school and for candidates, on a ballot paper (where applicable).

Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department by the principal by 30 April each year as a record of council membership and may be used for statistical purposes.

You can access your personal information by contacting the principal on:.....

*If you choose not to give some or all of the information requested your nomination may not be accepted.*

*If you have any queries about the school council nomination process, please contact the principal.*



# SCHEDULE 5F: NOMINATION FORM FOR STUDENT MEMBER CATEGORY

I wish to nominate..... for an elected position as a Student member on the school council.

## CANDIDATE'S DETAILS

Name.....

Residential address.....

Contact phone (mobile or landline).....

Email.....

I am a student who is currently enrolled in Year 7 or above at this school.

Yes / No (please circle)

Name of Nominator.....

Signature of Nominator.....Date..... / ..... / .....

## CANDIDATE TO COMPLETE

I am currently enrolled in Year 7 or above at this school – Yes / No (please circle)

I have discussed standing for election to school council with my parents or guardians – Yes / No (please circle)

I have a sound understanding of the obligations and level of commitment required to participate on school council – Yes / No (please circle)

I accept the nomination and I am prepared to serve as a Student member of the above-named school council. I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.

Signature of Candidate.....Date..... / ..... / .....

### You will be notified when your nomination has been received.

Personal information provided in this form is collected as part of the school council election nomination process. The information may be used to determine your eligibility as a candidate and to nominate. Your personal information may be disclosed as a result of inspection prior to the commencement of voting or at any time up to one year from the declaration of the poll.

Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department by the principal by 30 April each year as a record of council membership and may be used for statistical purposes.

You can access your personal information by contacting the principal on:.....

*If you choose not to give some or all of the information requested your nomination may not be accepted.*

*If you have any queries about the school council nomination process, please contact the principal.*

# SCHEDULE 6A: PARENT BALLOT PAPER

## BALLOT PAPER FOR THE SCHOOL COUNCIL OF

Vote using this ballot paper if you are a **parent** of a student at the school, **unless** you are a DET employee who is working at, and for, the school.

There are ..... vacancies to be filled. Therefore, you may mark up to ..... boxes.	Candidates nominated for election to the Parent member category	Candidate number

Your vote will be invalid if you vote for more candidates than the number of vacancies to be filled.

### INSTRUCTIONS

To **cast your vote**, you must:

- Make a clear mark beside the name of the candidate/s
- Place the completed ballot paper in a blank envelope and either
  - a. place the envelope in an envelope with the voter’s name and address on the back and deliver or arrange to deliver it to the person authorised to receive and register votes, or, post it to reach the principal, before closure of the ballot at 4.00pm on.....
  - or
  - b. between 8.00am and 4.00pm on any school day, including the day of closure of the ballot, place the envelope containing the completed ballot paper in the ballot box and print the voter’s name and address in the register of voters.

# SCHEDULE 6B: DET EMPLOYEE BALLOT PAPER

## BALLOT PAPER FOR THE SCHOOL COUNCIL OF

Vote using this ballot paper if you are a DET **employee** and:

- a. you **are not** a parent of a student at the school; or
- b. you **are** engaged in work at and for the school (whether or not you are a parent of a student at the school).

There are ..... vacancies to be filled. Therefore, you may mark up to ..... boxes.	Candidates nominated for election to the DET employee member category	Candidate number

Your vote will be invalid if you vote for more candidates than the number of vacancies to be filled.

### INSTRUCTIONS

To **cast your vote**, you must:

- Make a clear mark beside the name of the candidate/s
- Place the completed ballot paper in a blank envelope and either
  - a. place the envelope in an envelope with the voter’s name and address on the back and deliver or arrange to deliver it to the person authorised to receive and register votes, or, post it to reach the principal, before closure of the ballot at 4.00pm on.....
  - or
  - b. between 8.00am and 4.00pm on any school day, including the day of closure of the ballot, place the envelope containing the completed ballot paper in the ballot box and print the voter’s name.

# SCHEDULE 6C: PARENT AND DET PARENT BALLOT PAPER

## BALLOT PAPER FOR THE SCHOOL COUNCIL OF

Vote using this ballot paper if you are a **parent** of a student at the school, **unless** you are a DET employee who is working at, and for, the school.

See example 2, page 35 for an explanation of when this schedule is used.

In the first part of the ballot, there are ..... vacancies to be filled. Therefore, you may mark up to ..... boxes in this first part of the ballot.	Candidates nominated for election to the Parent member category who are not DET employees	Candidate number

In the second part of the ballot, there are ..... vacancies to be filled. Therefore, you may mark up to ..... boxes in this second part of the ballot.	Candidates nominated for election to the Parent member category who are DET employees	Candidate number

Your vote will be invalid if you vote for more candidates than the number of vacancies to be filled.

### INSTRUCTIONS

To **cast your vote**, you must:

- Make a clear mark beside the name of the candidate/s
- Place the completed ballot paper in a blank envelope and either
  - a. place the envelope in an envelope with the voter’s name and address on the back and deliver or arrange to deliver it to the person authorised to receive and register votes, or, post it to reach the principal, before closure of the ballot at 4.00pm on.....
  - or
  - b. between 8.00am and 4.00pm on any school day, including the day of closure of the ballot, place the envelope containing the completed ballot paper in the ballot box and print the voter’s name and address in the register of voters.

# SCHEDULE 6D: STUDENT BALLOT PAPER

## BALLOT PAPER FOR THE SCHOOL COUNCIL OF

Vote using this ballot paper if you are a **student** at the school enrolled in Year 7 or above.

In the ballot there are ..... vacancies to be filled. Therefore, you may mark up to ..... boxes in the ballot.	Candidates nominated for election to the Student member category:	Candidate number

Your vote will be invalid if you vote for more candidates than the number of vacancies to be filled.

### INSTRUCTIONS

To **register your vote**, you must:

- Make a clear mark beside the name of the candidate/s
- Place the completed ballot paper in a blank envelope and either
  - a. place the blank envelope in an envelope with your name and address on the back and post it to the principal in sufficient time for it to reach the principal by 4.00pm on.....the closing day of the ballot, or deliver the envelope by hand to the school on any school day between 8.00am and 4.00pm up to the closing date;or
  - b. between 8.00am and 4.00pm on any school day up to the closing date, place the blank envelope containing your ballot paper into the ballot box and print your name and address on the register of voters.


# SCHEDULE 7: SCHOOL COUNCIL MEMBERSHIP

## SCHEDULE – PRIMARY SCHOOL EXAMPLE

Complete Schedule 7 online, print, sign and date the form. The printed form is to be retained at the school, on the school council records.

Please declare the on-line form when it is complete by entering the date below the principal's name and clicking the **Submit Declaration** button.

See page 20 of this Guide for the completion of Schedule 7



Education  
and Training

Schedule 7: School Council Members

**Instructions:**  
Use this page (Schedule 7) to update your school council membership details each year by **30 April**. You can fill in this page over more than one sitting by using the 'Save' button at the bottom of the page. After you enter your membership details, to complete the Declaration, press '**Submit Declaration**', and print a copy for your school's records. As this website only stores the latest version saved, it is important to file a printed copy at your school. For [help and FAQs click here](#)

**Your School:**

*Please check your school name is correct. If not, please click this  then Save and re-open your form*

**Council Constituting Order**

Total	Parents	DET	Student	Community	Nominees (if any)
9	4	3	0	2	0

Tip: If the numbers above are missing please click this  then Save and re-open your form  
If the numbers above are incorrect please contact the School Operations and Governance Unit, Regional Services Group at [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au) or phone 7022 1343.

**Current Members (including current vacancies) entered on this Schedule 7 form**

Total	Parents	DET	Student	Community	Nominees (if any)
8	4	3	0	1	0

Tip: If the numbers above are **red**, recheck all data entered in 'Member Details' sections/boxes.

**How to Enter Membership Details**  
*Please enter details for all member positions including vacancies.*  
For each council position, including each vacancy, click on '**ADD MEMBER**' below (just above the Save button) and fill in the details. It is recommended that this information be grouped by membership category.

**Please note:** Check the number of members (including vacancies) entered on your Schedule 7 match the school council's constituting Order. The constituting Order membership numbers are listed across the top of the schedule, below the school name. If they do not match with the members' details you have entered, the numbers will appear in red and need to be corrected. Remember to include vacancies.

Declaration

**Before clicking on the Submit Declaration button check that all fields have been completed including listing of all members and vacancies. All members no longer on council should be removed and there should be no blank 'Member Details' boxes/sections. The two council membership totals shown at the top of this form should match.**

*By adding my name and the date below, I certify that the persons listed have been elected or appointed in accordance with the constituting Order of the school council.*

**Principal's Name**

**Declaration Date**

This Submit button will become available (green) after you enter the principal's name and declaration date.

**Declare and Submit form:** When the details of each position on council are completed and checked, the Schedule 7 form can be saved and declared. Complete the **Submit Declaration** section at the bottom of the screen by entering the principal's name and date. Click the green button to declare the schedule. Remember this must be done by **30 April 2020**. Print, date and sign a copy for your records.

# SCHEDULE 8: NOMINATION FORM RECEIPT

The nomination form in relation to .....  
(insert name of person nominated) for Parent, Student, DET Employee representative

	Mark with an x
Parent	
DET employee	
Student	

Principal Name .....

Signature .....

Date ..... / ..... / .....

# SCHEDULE 9: CHANGE OF SIZE AND CONFIGURATION OF SCHOOL COUNCIL

Request to change the size and/or configuration of the school council

School name		School number	
School address			
Postcode		Telephone	
		Fax	

The school council of this school requests an amendment to the constituting Order to change the size/ configuration of the school council.

## CURRENT SCHOOL COUNCIL SIZE (ACCORDING TO CONSTITUTING ORDER)

Please note – does not include Student members.

Category	Total
Parent	
DET employee	
Community member	

## PROPOSED SCHOOL COUNCIL SIZE

Please note – does not include Student members.

Category	Total
Parent	
DET employee	
Community member	

At the school council meeting held on \_\_\_\_\_ (date) the proposed amendment was approved by:

(Please mark the relevant box)

- a minimum of 75 per cent of the **total school council** (i.e. total size according to the constituting Order).
- less than 75 per cent of the total school council and an exemption from the minimum 75 per cent majority vote requirement is requested. Please ensure that the reason/s for the exemption request are included with the reasons for the change in the section below\*.

Number of school council members present:	
Number of school council members who voted in favour of the proposed amendment:	
Reason/s for the requested change:*	

Principal Name .....

Signature .....

Date ..... / ..... / .....

Email the completed schedule to the School Operations and Governance Unit, School and Regional Services at: [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au)



# APPENDIX E: FACT SHEET FOR PRINCIPALS AND SCHOOL COUNCIL PRESIDENTS

## COMMONLY ASKED QUESTIONS AND TOPICS FROM PRINCIPALS AND SCHOOL COUNCILS.

### Does the principal count as a DET employee member on school council? Is the principal a voting member?

The principal is the executive officer of school council and is:

- a full voting member, and is
- counted within the DET employee member category.

The principal is able to:

- propose a motion, or
- second a motion and
- vote on a motion, along with other council members at a school council meeting.

For information on school council membership and the role of the principal, please refer to the **Improving School Governance (ISG) Governance module**.

The *Principals Guide to School Council Elections*, also provides information on the school council membership.

## QUORUM AT THE SPECIAL MEETING AFTER THE DECLARATION OF THE POLL – CO-OPTION OF COMMUNITY MEMBERS

At the first special meeting of the new council to co-opt community members, the quorum is achieved if not less than one-half of the members of school council currently holding office, are present.

Quorum at the first meeting after the declaration of the poll – to elect office bearers

There are two requirements for a quorum to be achieved at the first council meeting after the results of the poll have been declared, for the majority of school councils:

- not less than one half of school council members currently holding office must be present, and
- a majority of the members present must not be DET employees. Any parent members on the council who also work for the Department are counted as DET employees at the beginning of the meeting for the purpose of establishing if the meeting has a quorum.

## WHAT CONSTITUTES A QUORUM AT GENERAL AND EXTRAORDINARY MEETINGS?

There are two requirements for a quorum to be achieved at a general or extraordinary council meeting, for the majority of school councils.

- not less than one half of school council members currently holding office must be present, and
- a majority of the members present must not be DET employees. Any parent members on the council who also work for the Department are counted as DET employees at the beginning of the meeting for the purpose of establishing if the meeting has a quorum.

For additional information regarding quorum requirements, please refer to the **ISG Governance module** under 'Quorum at a school council meeting'.

## IN THE EVENT OF A TIED VOTE AT A GENERAL MEETING OR EXTRAORDINARY MEETING OF COUNCIL, WHO HAS THE DECIDING VOTE?

In the event of a tied vote, the presiding member at a school council meeting has a second and casting vote. This will normally be the school council president. However, in the absence of the president, the presiding member will be the vice president or a member elected by the council to preside over that meeting. The presiding member cannot be a DET employee. Please see the **ISG Governance module**, 'Who presides at a meeting'.

## IN THE EVENT OF A TIED VOTE AT THE FIRST MEETING OF THE NEW SCHOOL COUNCIL AFTER THE POLL, TO ELECT OFFICE BEARERS, WHAT IS THE PROCESS?

The principal must, as soon as practicable after the declaration of the poll, preside at a special meeting for the purpose of appointing community members, if the school council is required to have community members.

The principal also presides at the first meeting of the new school council to elect a president and any other office bearers the council may choose to have. In the election of an office bearer for a school council, if the votes are tied, the school council may decide to hold a new election for the office bearer position; or decide the outcome by drawing lots.

If the council decides to hold a new election for the office bearer position and the results are tied again, the council may decide to conduct further elections until the election of office bearers is decided or the council will decide the election by the drawing of lots.

## HOW IS SCHEDULE 7 DECLARED EACH YEAR?

Following the school council election process, the online Schedule 7 must be updated and declared by 30 April. To login to Schedule 7 and complete the school council membership form, see: **Schedule 7 School Council Membership Schedule**.

Principals are required to:

- log in to Schedule 7, using the school username and password
- update the membership: parent and DET employee members, community, student or nominee members, if applicable
- include any vacancies
- check all entered data for accuracy
- ensure the total of the currently entered membership (including vacancies) at the top of the form matches with the council Constituting Order. If the Constituting Order and current membership numbers do not match, they will appear in red
- save print, sign, and date the form. This printed copy is the school record, to be kept on premises. This form is not sent to the regional or central office
- click on **'submit declaration'** to declare the completed Schedule 7 and submit the form.

If membership details change during the year, Schedule 7 should be updated.

## WHEN DOES SCHOOL COUNCIL NEED TO PRESENT THE ANNUAL REPORT TO THE COMMUNITY?

The Annual Report is endorsed by both Principal and school council by 30 April, each year. It is a legislative and regulatory requirement that the Annual Report is shared with the school community via a **public reporting meeting** following endorsement.

This meeting can take place at a time that suits school council meetings and commitments, usually during the first half of the year.

The Annual Report to the school community provides an opportunity for the school community to celebrate achievements, reflect on the school's performance, and understand where and how improvement efforts have enhanced student achievement, engagement and wellbeing.

The Annual Report can now be fully completed in the Strategic Planning Online Tool (SPOT). A draft Annual Report can then be downloaded for tabling at a school council meeting. In March/April the council can consider and endorse the report.

By 30 April the school council president attests to the Annual Report in SPOT on behalf of the school council. In May/June, following notification from the Department, the principal can download and present the final Annual Report to a public meeting of the school council. In May/June, the Annual Report is upload to the school's website.

Schools should additionally share the report in a way that best meet the needs of the community, such as providing hard copies of the report upon request.

For further information about [Annual Reporting](#), see the Department's intranet, log-in required.

## ANNUAL PLANNING FOR SCHOOL COUNCIL BUSINESS

Just as schools benefit from strategic and annual planning, so, too, do school councils. The school council president can take a leadership role in planning the school council business for the year ahead. This begins with discussing school priorities with the principal and new council, following annual elections, co-option of community members, and appointment of office bearers.

From this discussion, an annual work plan can be developed, a month-by-month schedule of the business of council for that year. This schedule could include:

- known tasks that are required to be completed each year such as the declaration of Schedule 7 by April 30, the endorsement of the Annual Implementation Plan and the Annual Report to the school community, and the annual public reporting meeting
- a schedule of policies that are due for review, and a timeline that spreads this work appropriately across the year and allows time for community consultation and additional research that may be required
- any significant events, including reviews and development of the School Strategic Plan
- other opportunities for community engagement, including fundraising, special school activities or similar events
- discussion and completion of the School Council Self-Assessment Tool. The outcomes of these can guide council in its identification of strengths and opportunities for support, development, recruitment and training of councillors.

## PRESIDENT'S EDUMAIL ACCOUNT

Principals are required to set up or update the eduMail account for the president. To set up or update the president's eduMail account, see [eduMail accounts](#) on the Department's intranet (Login required).

To ensure school council presidents have access to relevant information, they are required to have and regularly use an eduMail account. This enables them to receive important updates and endorse key documents in the Strategic Planning Online Tool (SPOT).

## INDUCTING AND SUPPORTING NEW MEMBERS, INCLUDING STUDENT MEMBERS ON COUNCILS

2020 is the third year that schools with enrolments at year seven and above, are required to have two representatives in the student member category on school council. Schools are required to conduct a nomination process for representatives in the student member category, and to hold an election if required.

New members of council benefit from support and encouragement in order to induct and support them to fulfil the duties of a school councillor. The information below outlines some suggestions on how school councils may support new council members including student members.

Some new members will be inexperienced with meetings and meeting procedures, including DET language, meeting protocols and conventions, motions, agendas, asking questions and confidently arguing a case.

School council support may include:

- providing a mentor who is trained, who can brief new members before and after meetings
- supportive meeting structure that encourages participation
- the principal and president meeting with new members to discuss the role of school councillor
- provide new members with responsibilities that will ensure they are included and accountable. These responsibilities may include membership of subcommittees and working groups.

School council support may also include participation in school council training and access to and explanations from appropriate staff of school documentation, strategic plans, Annual Implementation Plan, and budgets.

Other possible issues student members may face as they take their place on school council, include the management of their time with study, council and other commitments and the capacity to get to and from school council meetings in the evening. The principal and/or school council president can liaise with student members' parents to ensure they are aware of requirements, meetings and times.

## HOW TO ACCESS SCHOOL COUNCIL TRAINING FOR NEW AND CONTINUING MEMBERS ON COUNCIL

The Department continues to offer face-to-face training for all school council members, free of cost and in schools, at the school's request. Training is based on the **Improving School Governance (ISG)** materials, covering the Governance, Finance, Strategic Planning, School Council President modules.

Synergistiq delivers training in all four modules. To access training, school councils should contact Synergistiq by phone: (03) 9069 5598, e-mail: [sct@synergistiq.com](mailto:sct@synergistiq.com) or online: [School council training](#).

Online training videos and activities will be available on the Department's website shortly. Look out for these additional training opportunities which will complement the ISG modules.

## MANAGING CONFLICTS OF INTEREST

Following school council elections, it is timely for principals, as executive officers on councils, to support the effective management of conflicts of interest.

A conflict of interest exists when there is an actual, perceived or potential conflict between a school council member's public duty and their private interests. In the case of a conflict of interest, the member must declare the conflict to the council and remove themselves from discussion or voting on the topic. It might be that a close friend of a councillor is applying for a job, or a councillor's family business wants to tender for a contract. This personal connection or private interest can influence, or be perceived to influence, council's decision-making.

Failure to transparently identify, declare and manage conflicts of interest, including perceived conflicts of interest, can obviously impact community confidence in the council as an impartial and ethical decision-making body.

Actions required for school councils:

- in each council meeting, declaration of any conflicts of interest that arise from any items on the agenda should be a standing item on the agenda
- a declaration of interest can be declared at any time during the meeting and must be recorded in the meeting's minutes, alongside steps taken to manage the conflict
- in addition to recording declarations in the minutes, school council members who are also DET employees are required to complete a declaration on eduPay
- any councillor with a conflict of interest must not be present during the matter under discussion and not be present when a vote is taken on the matter
- consider communicating to the community how the council addresses conflicts of interest. For example, letting the community know about the general steps in place to manage conflicts if and when they come up.

Actions for principals:

- discuss the management of conflicts of interest at your next school council meeting, reminding councillors of this important obligation
- table and distribute to the school councillors a one-page overview of their obligations. For further information see the **ISG Governance module**.

Code of Conduct for Directors of Victorian Public Entities is relevant to school council members and is referenced in the **ISG Governance module**.

Principals and school council presidents can seek also advice from Integrity Liaison Officers, who are located at each of the regional offices.

## PROCESSES AND PROCEDURES FOR FUNDRAISING

School council approves all fundraising planned for the school and school community. It is important that the purpose for the fundraising is agreed, before any activities begin, as funds must only be spent for the purposes for which they were raised.

If the fundraising involves a raffle, bingo or the sale of alcohol, permission and instructions must be sought from the [Victorian Commission for Gambling and Liquor Regulation](#).

Any questions regarding school council's role in the fundraising process should be directed to [school.council@edumail.vic.gov.au](mailto:school.council@edumail.vic.gov.au).

Questions regarding the internal controls, recording funds raised in CASES21 or other related financial matters please contact:

[schools.finance.support@edumail.vic.gov.au](mailto:schools.finance.support@edumail.vic.gov.au)

# APPENDIX F: NOMINATION NOTIFICATION FORM

After the nomination period has closed, a notice showing the name of each candidate and nominator must be displayed in a prominent position at the school.

Principals may wish to use this form to inform the community of the names of the nominees and nominators received for the school council election:

Nominations received for the Parent, DET and/or Student member positions for  
 .....(insert school name)  
 school council election ..... (year)

An election is to be conducted for members of the .....school council.

The following nominations were received by 4.00pm on ..... / ..... / ..... (day, month, year).

The name of the nominees, self-nomination or their nominator and the membership categories are as follows:

MEMBERSHIP CATEGORY	TERM OF OFFICE	NAME OF NOMINEES	NAME OF NOMINATORS
Parent member ..... number of vacancies	From the day after the date of the declaration of the poll in 20 ..... to and inclusive of the date of the declaration of the poll in 20.....		
DET employee member ..... number of vacancies	From the day after the date of the declaration of the poll in 20 ..... to and inclusive of the date of the declaration of the poll in 20.....		
Student member ..... number of vacancies	From the day after the date of the declaration of the poll in 20 ..... to and inclusive of the date of the declaration of the poll in 20.....		

Principal's signature .....

Date ..... / ..... / .....

# CO-OPTION TO A COMMUNITY MEMBER POSITION ON SCHOOL COUNCIL

The principal may wish to use this form when a new member is co-opted into a COMMUNITY vacancy on school council.

.....school council

wish to co-opt .....(name) into a COMMUNITY MEMBER position  
for the term of office from ..... / ..... / ..... to ..... / ..... / .....

## CO-OPTED MEMBER'S DETAILS

Name .....

Residential address .....

Contact phone .....

Email .....

## STATEMENT

The person co-opted **is / is not** (please circle) an employee of the Department of Education and Training.

Name of Nominator/Principal/President.....

of ..... school council.

## CO-OPTED MEMBER TO COMPLETE:

I accept the co-option onto school council and I am prepared to serve as a COMMUNITY member of the above-named school council, for the term of office ..... / ..... / ..... to ..... / ..... / .....

I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*
- subject to a medical condition which means I am unable to fulfil the role of a member of school council.

Signature of co-opted member:..... Date ..... / ..... / .....

Personal information provided in this form is collected as part of the school council co-option process. The information may be used to determine your eligibility as a member of council.

Your name will be included in a list of school council members. Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department of Education and Training by the principal each year as a record of council membership and may be used for statistical purposes.

If you choose not to give some or all of the information requested your co-option to join council may be withdrawn. If you have any queries about the school council membership please contact the principal.

# CO-OPTION TO A CASUAL VACANCY ON SCHOOL COUNCIL

The principal may wish to use this form when a new member is co-opted into a CASUAL VACANCY on school council.

.....school council  
wish to co-opt .....(name) into a casual vacancy in the  
.....member category for the term of office from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_.

## CO-OPTED MEMBER'S DETAILS

Name .....

Residential address .....

Contact phone .....

Email .....

## STATEMENT

The person co-opted **is / is not** (please circle) an employee of the Department of Education and Training.

Name of Nominator/Principal/President.....  
of ..... school council.

## CO-OPTED MEMBER TO COMPLETE

I accept the co-option onto school council and I am prepared to serve as a ..... member of the above-named school council, for the term of office \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_.

I am eligible to be co-opted into the relevant category.

I hereby declare that I am not:

- an undischarged bankrupt
- of unsound mind
- currently serving a sentence for an indictable offence
- a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*
- subject to a medical condition which means I am unable to fulfil the role of a member of school council.

Signature of co-opted member:..... Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Personal information provided in this form is collected as part of the school council co-option process. The information may be used to determine your eligibility as a member of council.

Your name will be included in a list of school council members. Further, the name, membership category, gender (optional), term of office, office held (if any) of school council members and notification whether the member is an employee of the Department will be forwarded to the Department of Education and Training by the principal each year as a record of council membership and may be used for statistical purposes.

If you choose not to give some or all of the information requested your co-option to join council may be withdrawn. If you have any queries about the school council membership please contact the principal.

