



Victorian **Registration &
Qualifications** Authority

GUIDE FOR A REGISTERED SCHOOL
Minimum standards
and other requirements
for school registration

Victoria's education and training regulator

Level 6, 35 Spring Street
Melbourne VIC 3000
GPO Box 2317
Melbourne VIC 3001
T (03) 9637 2806
F (03) 9651 3266
vrqa@edumail.vic.gov.au
www.vrqa.vic.gov.au

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Introduction

This Guide provides advice about school registration in Victoria. The guide is based on the *Education and Training Reform Act 2006* and on the Education and Training Reform Regulations 2007.

The Education and Training Reform Act 2006

The *Education and Training Reform Act 2006* provides principles on which school education in Victoria is to be based.

- All providers of school education, both government and non-government, must ensure that their programs and teaching are delivered in a manner that supports and promotes the principles and practice of Australian democracy. These principles include a commitment to elected government, the rule of law, equal rights for all before the law, freedom of religion, freedom of speech and association, and the values of openness and tolerance.
- All Victorians, irrespective of the education or training institution they attend, where they live or their social or economic status, should have access to high-quality education that realises their learning potential and maximises their education and training achievement, promotes enthusiasm for lifelong learning and allows parents to take an active part in their children's education and training.
- Information about the performance of education and training providers should be publicly available.
- Parents have the right to choose an appropriate education for their children.
- A school community has the right to information about the performance of its school.
- A parent of a student and the student have the right to access information about the student's achievement.

The Act also sets out the following principles that apply only to government schools.

- The state provides universal access to education and training through the establishment and maintenance of a government education and training system.
- Government schools will provide a secular education and will not promote any particular religious practice, denomination or creed and are open to adherents of any philosophy, religion or faith.
- Instruction in the eight nationally agreed learning areas is to be provided free of charge for all students (except overseas students) attending a government school to the completion of Year 12 if the student is under 20 on 1 January in the year in which they undertake instruction.
- Every student has the right to attend a designated neighbourhood government school (except that selective government schools as determined by the Minister are not required to accept students from their designated neighbourhood).

The Victorian Registration and Qualifications Authority

The Victorian Registration and Qualifications Authority (VRQA) was established under the Act. The VRQA is responsible, among other things, for registering all schools (government and non-government) that operate in Victoria and for ensuring that registered schools meet the standards required for registration. This includes schools offering senior secondary qualifications. The VRQA incorporates the functions and responsibilities of the Registered Schools Board and the Victorian Qualifications Authority, both of which have been abolished.

About this guide

The VRQA has produced two guides for schools about the minimum standards and other requirements for school registration. They are:

- *Minimum standards and other requirements for school registration: Guide for a school applying to register*
- *Minimum standards and other requirements for school registration: Guide for a registered school.*

This guide is for a registered school and provides information and advice about how the school can:

- maintain its compliance
- change certain aspects of its registration.

The guide also explains further requirements that apply to a school that offers a senior secondary qualification.

Evidence guide

This guide provides instructions and advice about the evidence required of a school. Figure 1 explains the wording used in the guide.

Figure 1: Evidence requirements

Wording	Explanation
'There must be evidence in the form of ...'	The evidence specified is essential.
'Evidence may but will not necessarily include ...'	The evidence specified is advice or suggestion about types of evidence that a school might wish to provide.

About school registration

Requirement for registration

The Act requires all schools in Victoria to be registered before they can start operating.

A government school that was operating on 30 June 2007 was deemed to be registered when the Act was proclaimed on 1 July 2007.

A non-government school that was registered with the Registered Schools Board on 1 July 2007 was deemed to be registered when the Act was proclaimed on 1 July 2007. Such a school was deemed registered as a primary school, secondary school or special school, or as a combination of those schools subject to any terms and conditions of the registration under the *Education Act 1958*.

A school is a place that provides education to children of compulsory school age, which is from 6 to 17 years. A school must be registered as one or more of the following types:

- a primary school
- a secondary school
- a co-educational school
- a single sex school
- a specific purpose school such as a school that provides an alternative educational program
- a specialist school (a school that caters mainly for students with disabilities or with social, emotional or behavioural difficulties).

Requirement to comply with the minimum standards and other requirements

With the exceptions below, all schools must comply with the minimum standards and other requirements specified in the Act and its Regulations, and explained in this guide.

Requirement to meet not-for-profit status and enrolment numbers standards

Transitional provisions with respect to not-for-profit status and enrolment numbers apply for a school that was deemed to be registered before 1 July 2007. Please refer to the relevant standards for further information.

Minimum standards

The Act specifies that a school must have policies relating to student discipline that are based on principles of fairness and do not permit corporal punishment.

Minimum standards apply for:

- school governance (adherence to democratic principles, the school's philosophy and its not-for-profit status)
- enrolment (enrolment numbers, enrolment policy and the enrolment register)
- curriculum and student learning (the curriculum framework, student learning outcomes and monitoring and reporting on student performance)
- student welfare (the care, safety and welfare of students, student discipline policies and procedures, monitoring of attendance and the attendance register)
- employment of staff (teachers' requirements and compliance with the *Working with Children Act 2005*)
- school infrastructure (buildings, facilities and grounds and educational facilities).

Other requirements

Other requirements apply for:

- review and evaluation
- reporting to the VRQA
- information about school performance
- adding a year level
- establishing an additional campus
- changing a school's type of registration
- changing a school's location
- changing a school's particulars.

Certain schools offering a senior secondary qualification – the Victorian Certificate of Education (VCE), Victorian Certificate of Applied Learning (VCAL) or the International Baccalaureate Diploma (IB) – must also meet additional requirements. These are explained in the last section of this guide.

How to amend the registration of a school

A registered school applying to amend its registration (such as by adding a year level or an additional campus) must do so using the application form appropriate for the amendment. The form explains how to make an application and the information and categories of evidence required. This guide explains exactly what evidence is required.

Registration reviews and appeals

Review of compliance

The VRQA may review and evaluate the compliance of a registered school with the minimum standards and other requirements. It will do so no more than five years after the school's initial registration or previous review.

The Act requires a school to participate in its review and to provide the Authority with enough evidence to establish that it is complying with the minimum standards.

The Authority can base its evaluation on:

- its analysis of data and other evidence of its compliance provided by the school
- a visit to the school by the VRQA or by a person or body approved by the Authority to review the school's compliance
- a combination of these two processes
- another agreed model of quality assurance.

The VRQA may also require, from time to time, a school to report on any matter pertaining to its registration and its compliance with the minimum standards and other requirements.

Consequences of non-compliance

If the VRQA determines that a registered school does not comply with one or more of the minimum standards, it may:

- impose conditions on the school's registration
- prohibit the school from enrolling any new students
- require the school to report its non-compliance to parents
- suspend, cancel or impose conditions on the school's registration.

Appeals of registration decisions

A person whose interests are affected by a VRQA decision to reject a registration application or to cancel or suspend a registration can apply to the Victorian Civil and Administrative Tribunal (VCAT) to review the VRQA's decision. The application to VCAT must be made within 28 days after the later of:

- the day on which the decision was made, or
- if a person requests a statement of reasons for the decision, the day on which the statement was provided, or the person was informed that a statement of reasons would not be given.

Complaints about compliance

The VRQA is required to investigate a complaint alleging a breach of obligations by a school in relation to the democratic principles, to the availability of information about the school's performance or to the right of a parent or student to access information about the student's achievement.

A complainant must first raise their concerns with the principal or governing body of the school or, in the case of a system school, for example government or Catholic, with the relevant system body. They must allow a reasonable time for the school, governing or system body to respond. If they are not satisfied with the response, they should then write to the VRQA detailing their concerns and asking for an investigation.

Minimum standards

School governance

Democratic principles

The programs of, and teaching in, a school must support and promote the principles and practice of Australian democracy, including a commitment to:

- elected government
- the rule of law
- equal rights for all before the law
- freedom of religion
- freedom of speech and association
- the values of openness and tolerance.

Sch. 2, 1 Programs and teaching to promote principles underlying the Act. Exceptions apply, see Explanatory notes below.¹

Intent

To ensure that a school is established in line with and operates consistently with the principles of Australian democracy.

Evidence guide

There must be evidence in the form of:

- a statement affirming the school's adherence to the principles such as might be included in the school's constitution, prospectus or handbook
- an explanation of how the school communicates such a statement to staff, students, parents and the school community.

Explanatory notes

The Regulations state that nothing in this standard 'is intended to affect the rights accorded to, or the compliance with any obligation imposed on, a school under an enactment of the State or of the Commonwealth'.

For example, the *Equal Opportunity Act 1995* allows a school to operate wholly or mainly for students of a particular sex, race, religious belief, age or age group. This enables a school established by a particular religious denomination or group of religious denominations to give preference in its enrolment policy to adherents of that denomination(s) or their children.

Structure

The governance of a school must be structured to enable the school to develop its strategic direction, effectively manage its finances and fulfil its legal obligations.

Drawn from Sch. 2, 15(1) School governance

Intent

To ensure that a school's governing structure manages its responsibilities well.

Evidence guide

The Act defines the role and responsibilities of a government school council. The Department of Education and Early Childhood Development monitors adherence to this standard by government schools.

For a non-government school, there must be evidence in the form of:

- an outline of the governing body's structure and membership
- the school's governance charter, outlining the key functions and responsibilities of the school board
- a business plan that relates to the school.

Evidence may but will not necessarily include:

- policies relating to the operation, professional development, review and induction of the governing body and its members
- enrolment estimates
- the estimated socioeconomic status of students
- estimated State and Commonwealth grant funding
- financial projections for the first five years of operation
- an outline of the structure and membership of the school council or governing body
- a governance charter.

¹ Note: the text in the shaded boxes throughout this guide is directly (or has been drawn) from the Education and Training Reform Act 2006 or the Education and Training Reform Regulations 2007.

Probity

The proprietor, any member of the governing body and any principal of a non-government school must be of good character and be able to carry out their responsibilities in relation to the operation of the school.

Drawn from Sch. 2, 15(2) School governance

Intent

To ensure that the proprietor, governing body members and principal of a non-government school are of good character and have the necessary skills, knowledge and experience to support the school's governing body to govern effectively.

Evidence guide

There must be evidence in the form of a completed *Declaration of Good Character*² for each proprietor, member of the governing body and principal.

Explanatory notes

The Minister may make provision for the membership of government school councils. The eligibility of government school principals is dealt with under another part of the Act or by way of a Ministerial Order. Under the Act, the following people are not allowed to be a proprietor, governing body member or principal of a non-government school:

- a person found guilty of an offence which is (or which would if committed in Victoria be) an indictable offence
- a person who is bankrupt or who has taken the benefit of any law for the relief of bankrupt debtors, or compounded with his or her creditors or made an assignment of his or her property for their benefit
- a person who is a represented person under the *Guardianship and Administration Act 1986*
- a person who, if required under the *Working with Children Act 2005* to obtain an assessment notice under that Act to carry out any responsibilities in relation to the school, is in breach of any requirements of that Act.

In the case of a body corporate, a proprietor, governing body member or principal of a non-government school must not be an externally administered body corporate as defined in the *Corporations Act 1986*.

The VRQA may exempt a person from the requirement to comply with this standard if it considers that the requirement for compliance is inappropriate, bearing in mind:

- the nature and gravity of the person's offence and its relevance to conducting a school
- the period of time since the person committed the offence
- the sentence imposed for the offence
- whether or not the conduct that constituted the offence has been decriminalised since the person committed it
- the person's behaviour since committing the offence
- any information given by the person in, or in relation to, the application for registration of the school
- any other matter the Authority considers relevant.

Philosophy

A school must have a clear statement of its philosophy.

Sch. 2, 16 School's philosophy

Intent

To ensure that a school is clear about its philosophy (which might include statements of vision, values, mission or objectives) and can articulate it to staff, students, parents and the school community.

Evidence guide

There must be evidence in the form of a statement of the school's philosophy. Such a statement could be contained in the school's constitution, prospectus, strategic plan or business plan.

Explanatory notes

A statement of the school's philosophy enables the school's leadership to make clear to current and prospective staff, students and parents the nature of the school. Such a statement also provides a foundation for the school's strategic planning decisions and for performance reviews.

² For a copy of this declaration, see Appendix 1.

Not-for-profit status

A school must be a not-for-profit school.

Sch. 2, 17 School must be not-for-profit. Transition arrangements apply, see Explanatory notes

Intent

To ensure that a school is not established or conducted for the purpose of profit or gain.

Evidence guide

There must be evidence in the form of:

- a copy of the school's constitution
- an executed *Attestation of school's not-for-profit status*.³

Transitional provisions

A non-government school registered with the Registered Schools Board before 1 July 2007 may continue to operate for profit. However, the school will be required to meet this standard if it applies to amalgamate with another school, open a new campus or add a year level.

Enrolment

Student enrolment numbers

A school must have a minimum of 20 students enrolled. A secondary school must have an average enrolment of 10 or more students for each year level for which it is registered.

Sch. 2, 7 Student enrolment numbers. Transition arrangements and exceptions apply, see Explanatory notes

Intent

To ensure that a school has sufficient students to be able to provide a range of curriculum programs and learning experiences that will support the academic and social development of students.

Evidence guide

There must be evidence in the form of the enrolment register that records that the school has as many or more students than the minimum number required by the standard, or than the minimum number as otherwise approved by the VRQA.

Explanatory notes

The minimum enrolment of 20 does not apply to a primary school located outside the Melbourne Statistical Division or outside an urban centre with 20 000 people or more, or to a specialist school. However, such a school must have 11 or more students.

The VRQA can approve a lower minimum number of enrolments if it is satisfied that:

- the school has sufficient students to provide instruction commensurate with students' year levels
- taken as a whole, the school substantially addresses the eight learning areas unless one or more of the learning areas is exempt, or if the school is registered for a specific purpose that reflects the type of educational program relating to that registration
- special circumstances apply, in which case the Authority must publish the reason for its approval of a smaller minimum number on its website.

Transitional provisions

The minimum enrolment of 20 does not apply to a government school that immediately before 1 July 2007 had less than 20 students as long as enrolments do not drop below the number of enrolments that they had on 30 June 2007. If they do, the minimum requirement of 20 will immediately apply.

The minimum enrolment of 20 does not apply to a non-government school if the Minister approved the school to open with fewer enrolments. However, it must not operate with fewer than the approved number of enrolments.

The minimum secondary school enrolment of an average of 10 students per year level does not apply to a government school that in 2006 had fewer than this minimum requirement as long as enrolments do not drop below the school's minimum number of enrolments in 2006. If they do, the minimum standard will immediately apply.

The minimum secondary school enrolment of an average of 10 students per year level does not apply to a non-government school that when the school opened had fewer than this minimum requirement as long as enrolments do not drop below the school's number of enrolments when it opened. If they do, the minimum standard will immediately apply.

Enrolment policy

A school must have a clearly defined enrolment policy that complies with all applicable State or Commonwealth laws. A school established by a particular religious denomination or by a group of religious denominations may have an enrolment policy that gives preference to adherents of that religious denomination or denominations or their children.

Sch. 2, 8 Enrolment policy

Intent

To ensure that a school's enrolment policy takes account of all requirements of laws relating to discrimination, equal opportunity, privacy and immunisation.

³ For a copy of this attestation, see Appendix 3. Further information about not-for-profit status is at Appendix 2.

Evidence guide

There must be evidence in the form of a copy of the school's enrolment policy and details of how it is implemented.

Register of enrolments

A register of enrolments must be maintained that contains, for each student:

- their name, age and address
- the name and contact details of any parent or guardian of the student
- the date of enrolment
- where applicable, the date the student ceased to be enrolled.

Drawn from Sch. 2, 9 Register of enrolment

Intent

To ensure that a school maintains a paper-based or electronic enrolment register that includes, at a minimum, the information required in the standard.

Evidence guide

There must be evidence in the form of an enrolment register that is accurate, up-to-date and contains the information required in the standard.

Curriculum and student learning

Curriculum framework

A framework must be in place for the organisation, implementation and review of a school's curriculum and teaching practices and to ensure that, taken as a whole, the learning areas are substantially addressed.

*Drawn from Sch. 2, 6 Curriculum framework for school
Exceptions apply, see Explanatory notes*

Intent

To ensure that a school provides all students with a planned and structured curriculum to equip them with the knowledge, skills and attitudes needed to complete their compulsory years of schooling and to make a successful transition from school to work, training or further education.

Evidence guide

There must be evidence in the form of:

- the proportion of time allocation across the eight key learning areas
- an explanation of how and when curriculum and teaching practice is reviewed.

Evidence may but will not necessarily include:

- an outline of the school's approach to curriculum and to teaching and learning to the Victorian Essential Learning Standards (VELS), integrated programs or online learning
- a whole-school curriculum plan showing how the curriculum is organised
- yearly curriculum program plans for each cohort of students
- an indication of how the eight learning areas are addressed.

Explanatory Notes

The eight learning areas are:

- English
- Mathematics
- Sciences (including physics, chemistry and biology)
- Humanities and social sciences (including history, geography, economics, business, civics and citizenship)
- The Arts
- Languages
- Health and physical education
- Information and communication technology, and design and technology

The VRQA may exempt a school from addressing one or more of the learning areas if the school is registered for a specific purpose, if it is a school for students with disabilities or for other reasons determined by the Authority.

Student learning outcomes

A school must have processes in place that enable it to plan for, and achieve improvement in, student learning outcomes.

Sch. 2, 2 Student learning outcomes

Intent

To ensure that a school supports all its students to progress towards and achieve agreed learning outcomes.

Evidence guide

There must be evidence in the form of a strategic plan to improve student learning outcomes.

Such a plan may but will not necessarily include statements of:

- what data the school collects to monitor outcomes
- how the school uses data to set goals and targets for outcomes
- how VELs is being implemented
- how Achievement Improvement Monitor (AIM) and On Track data is being analysed, used and reported.

Transitional provisions

Transitional provisions apply for schools offering a senior secondary qualification. (For more information, see page 15: 'Further requirements for certain schools offering a senior secondary qualification'.)

Monitoring and reporting on students' performance

A school must ensure that there is ongoing assessment, monitoring and recording of each student's performance and provide each student and parent with access to accurate information about the student's performance.

Access to information must include at least two written reports to parents per year.

Drawn from Sch. 2, 3 Monitoring and reporting on students' performance

Intent

To ensure ongoing assessment, monitoring and recording of all students' performance and to report on performance, in writing, to parents at least twice a year.

Evidence guide

There must be evidence in the form of the school's assessment and reporting policies and procedures, including how it is meeting Commonwealth Government student reporting requirements.

Transitional provisions

Transitional provisions apply for certain schools offering a senior secondary qualification. (For more information, see page 15: 'Further requirements for certain schools offering a senior secondary qualification'.)

Student welfare

Care, safety and welfare of students

A school must ensure that the care, safety and welfare of students is in accordance with any applicable State and Commonwealth laws, and that staff are advised of their obligations under those laws.

Drawn from Sch. 2, 12 Care, safety and welfare of students

Intent

To ensure that a school has policies and procedures to provide students with a safe environment where the risk of harm is minimised and students feel physically and emotionally secure.

Evidence guide

Student welfare

There must be evidence in the form of the school's policies and procedures with respect to:

- student welfare
- bullying and harassment
- managing complaints or grievances.

Student safety

There must be evidence in the form of the school's policies and procedures with respect to:

- on-site supervision of students
- supervision of students when engaged in off-site activities
- ensuring the safety and welfare of students learning with an external provider (when the school contracts with another school or a registered training organisation).

Student care

There must be evidence in the form of the school's:

- arrangements for ill students
- policy and procedures for distributing medicine
- register of staff trained in first aid
- records of student medical conditions and management.

Additional evidence

There must also be evidence of the school's:

- mandatory reporting procedures
- emergency management plan
- critical incident plan
- accidents and incident register
- first aid policy and procedures
- internet use policy and procedures.

Other evidence required is an outline of how the school ensures that staff are made aware of their legal responsibilities for the care, safety and welfare of students.

Transitional provisions

Transitional provisions apply for certain schools offering a senior secondary qualification. (For more information, see page 15: 'Further requirements for certain schools offering a senior secondary qualification'.)

Discipline

A school's policies relating to the discipline of students must be based on principles of procedural fairness and must not permit corporal punishment.

*Drawn from Education and Training Reform Act 2006
s. 4.3.1(6) Requirements for registration*

Note: the school's policies must explicitly state that corporal punishment is not permitted.

Intent

To ensure that a school has policies and procedures to promote a consistent and fair approach to student discipline.

Evidence guide

There must be evidence in the form of:

- the school's behaviour management policy and procedures
- an outline of how the school communicates these policies and procedures to the school community.

Such policies and procedures may, but will not necessarily, include:

- an explanation of the school's approach to discipline and how it ensures procedural fairness
- procedures for suspension, expulsion and exclusion
- procedures for imposing penalties
- documentation and communication processes.

Explanatory notes

Schools use a variety of approaches to promote good student behaviour and to reduce and resolve conflict between students and between students and staff. Whatever approach is adopted, it must be clear to the whole school community.

Attendance monitoring

Provision must be made at a school to:

- monitor daily attendance
- identify absences from school or class
- follow up unexplained absences
- notify any parent or guardian about unsatisfactory attendance
- record unsatisfactory attendance information on student files.

Drawn from Sch. 2, 10 Monitoring of attendance

Intent

To ensure that a school has policies and procedures to monitor students' attendance and to follow up unexplained or unacceptable absences.

Evidence guide

There must be evidence in the form of the school's procedures to:

- check attendance at least twice a day
- monitor daily attendance and identify absences from school or class
- follow up unexplained absences
- notify parents of unsatisfactory attendance
- record unsatisfactory attendance on students' files.

Attendance register

A school must maintain an attendance register of students of compulsory school age and record in it each student's attendance at least twice per day as well as any reason (given or apparent) for a student's absence.

Drawn from Sch. 2, 11 Attendance register

Intent

To ensure that students' attendance is recorded systematically and that a school has adequate records to follow up absences.

Evidence

There must be evidence in the form of a register in either print or electronic form of the attendance of all students at the school, for each calendar year. The register must show twice-daily attendance checks and any reasons for absence.

Explanatory notes

The Act empowers the school to ask a parent of an enrolled student of compulsory school age for an explanation of the student's failure to attend the school at a time when the school was open for instruction.

Staff employment

Teachers' requirements

All teachers employed to teach at a school must be registered or have permission to teach and comply with any conditions or limitations of that registration.

Drawn from Sch. 2, 4 Teachers' requirements

Intent

To ensure that only teachers registered with the Victorian Institute of Teaching, or who have permission to teach, are employed at a school.

Evidence guide

There must be evidence in the form of a register of teachers containing each teacher's name and their teacher registration number.

Explanatory notes

The Victorian Institute of Teaching is responsible for the registration (including provisional and interim registration) of teachers employed in Victorian schools.

Compliance with the *Working with Children Act 2005*

The requirements of the *Working with Children Act 2005* must be complied with in respect of the employment of all staff at a school.

Sch. 2, 5 Working with Children Act 2005

Intent

To ensure that all people employed at a school meet the requirements of the *Working with Children Act 2005*.

Evidence guide

There must be evidence in the form of:

- a register of staff with a Working with Children Check
- procedures for maintaining the register.

Explanatory notes

The *Working with Children Act 2005* requires all employees, self-employed people and volunteers to obtain a Working with Children Check if they:

- are involved in defined categories of child-related employment
- have regular, direct contact with children that is not directly supervised.

The Working with Children Check is a criminal record check for sex, violence and drug offences and for relevant findings by the Victorian Institute of Teaching.

A teacher registered with the Victorian Institute of Teaching does not need a Working with Children Check.

A teacher whose registration is suspended is not registered and must not teach. If they are employed in a non-teaching capacity, they need a Working with Children Check.⁴

School infrastructure

Buildings, facilities and grounds

A school's buildings, facilities and grounds must comply with any laws that apply to the school including local laws and building, planning and occupational health and safety laws.

Sch. 2, 13 Buildings, facilities and grounds

Intent

To ensure that a school's buildings, facilities and grounds meet all legal standards and fully comply with health and safety requirements.

Evidence guide

There must be evidence in the form of:

- a permit to operate an education centre on the site
- evidence that buildings and facilities comply with local planning regulations and with the Building Code of Australia
- an essential services register
- a maintenance schedule for buildings, facilities and grounds
- policy and procedures for occupational health and safety.

Explanatory notes

In some cases a school may choose to seek advice from, or be reviewed by, an external agency (such as WorkSafe) to establish its compliance with occupational health and safety requirements.

Educational facilities

The educational facilities of a school must be suitable for the programs it offers and for students' age levels.

Drawn from Sch. 2, 14 Educational facilities

Intent

To ensure that a school's facilities are adequate for effective delivery of the school's curriculum and co-curricular programs and suit students' various ages and developmental stages.

Evidence guide

Evidence may but will not necessarily include a plan of the school showing the location of facilities available for each program offered.

⁴ For more information about who needs to apply for a Working with Children Check, see <<http://www.justice.vic.gov.au/workingwithchildren>>.

Other requirements

Reporting to the VRQA

The proprietor or principal of a registered school must provide to the Authority in accordance with the Regulations a report containing the information required.

Drawn from s.4.3.5(1) Education and Training Reform Act 2006 and Reg 64 Information required in reports to the Authority

Intent

To ensure that a school, when requested to do so, provides the VRQA with the information it needs to carry out its responsibilities under the Act and Regulations.

Explanatory notes

The VRQA may require the proprietor or principal to provide a report that helps it assess:

- whether the school is continuing to comply with the minimum standards or other requirements
- whether any of the information in the State Register needs to be updated
- any complaint made involving the school
- whether the school is complying with the requirements of relevant legislation and regulations.

The VRQA must give the proprietor or principal a reasonable time to comply with its request for information. The proprietor or principal must comply with the request within the time specified in the request. The VRQA's request and the information provided must be in writing, unless the parties agree otherwise.

Wherever possible, the VRQA will try to avoid duplicating reporting requirements.

Information about school performance

Information about a school's performance must be provided to the school community. The information must include:

- a description and analysis of student learning outcomes in statewide tests and examinations for the current year (and for the last two years if the school has been established that long)
- a description and analysis of rates of student attendance for the year
- a report of the school's financial activities
- copies of any other reports the school is required to provide under State or Commonwealth funding agreements.

Drawn from Sch. 2, 18 Information on school's performance to be available

Intent

To ensure that a school monitors and reports to the school's community on its performance against key indicators.

Evidence guide

There must be evidence in the form of:

- a copy of the school's annual report that contains the mandatory information
- an outline of how the report is distributed and promoted.

Adding a year level

A registered school must seek Authority approval to offer or conduct a year level of schooling in addition to those for which it has been registered.

Sch. 5 Information required for application to amend registration to include additional year level

Intent

To ensure that a registered school intending to offer or conduct a year level for which it is not registered applies well in advance to the VRQA to do so.

Evidence guide

There must be evidence in the form of:

- an overview of the curriculum program to be offered
- details of the year level to be added and the number of students to be enrolled
- the organisation of the year level showing the allocation of time and teachers for each learning area
- details of teaching staff to be employed for the year level, including their academic qualifications and registration details
- details of the buildings, facilities and grounds, and educational facilities available for the year level
- evidence that the school is not for profit.

Establishing an additional campus

A registered school must seek Authority approval to include an additional campus at the school.

Sch. 4 Information required for application to amend registration to include additional campus

Intent

To ensure that a registered school intending to include an additional campus at the school applies well in advance to the VRQA to do so.

Evidence guide

There must be evidence in the form of:

- details of the year levels to be provided and the curriculum to be offered
- details of the age range and the number of students to be enrolled in the campus at each year level
- details of teaching staff to be employed for the year level, including their academic qualifications and registration details
- details of the buildings, facilities and grounds, and the educational facilities, to be provided for the campus
- evidence that buildings, facilities and grounds comply with relevant statutory requirements
- if the addition of the campus will involve any change to the type of registration, which type of registration will be applicable
- policies relating to student behaviour
- evidence that the school is not for profit.

If the establishment or operation of the additional campus is not within the scope of the school's current registration, the school must also provide:

- policies relating to compliance with the minimum standards
- an explanation of the philosophy of the campus
- the business plan for the campus
- an outline of governance arrangements for the campus.

Explanatory notes

The regulations state that 'campus means a location at which part of a school is conducted or proposed to be conducted under the name of the campus as part of the school and –

- (a) the campus and the school have a common governing body or the governing body of the campus is responsible to the governing body of the school; and
- (b) in the case of a non-government school, the campus and the school have the same proprietor.'

Changing a school's type of registration

A school must only be conducted as the type of school in respect of which it is registered.

Drawn from Reg. 62(b) School must be conducted in accordance with registration

Intent

To ensure that a registered school intending to vary the type of its registration applies well in advance to the VRQA to do so.

Evidence guide

A school that intends to vary its type of registration must ensure that it meets all the minimum standards as they apply to its intended type of registration.

Further evidence is not required for standards where the school's compliance is not affected by the variation. For example, compliance with the democratic principles or enrolment register standards in most cases is unlikely to be affected by a variation in the type of registration. However, a variation is likely to affect compliance with other standards (for example, curriculum framework, educational facilities and student safety and welfare policies).

There must be evidence in the form of the evidence stated in other parts of this guide for all standards affected by the variation.

Changing a school's location

A school must only be conducted at a campus or place in respect of which it is registered.

Drawn from Reg. 62(b) School must be conducted in accordance with registration

Intent

To ensure that a school does not change location without the VRQA's approval and that a registered school intending to vary the location of its registration applies well in advance to the VRQA to do so.

Evidence guide

There must be evidence in the form of:

- a copy of the permit to operate an education centre on the site
- evidence that buildings, facilities and grounds at the new location comply with all relevant laws including local building, planning and occupational health and safety laws and regulations, and with the Building Code of Australia
- an essential services register
- a maintenance schedule for buildings, facilities and grounds
- the school's occupational health and safety policy and procedures
- a plan of the school showing the facilities available for each program offered.

Changing a school's particulars

The principal of a registered school must notify the Authority within 30 days of any changes to specified details of a school.

Reg. 63 The Authority must be notified of change of particulars

Intent

To ensure that the VRQA has accurate and current information about a school's particulars.

Evidence guide

There must be evidence in the form of written notification to the VRQA of changes (within 30 days of the change) of:

- the name or contact details of the proprietor, principal, president or chair (as the case requires) of the school's governing body
- the address of the school or any campus
- the school's religious or other affiliation.

Further requirements for certain schools offering a senior secondary qualification

The minimum standards (including the further requirements in this part of the guide) apply to all schools offering a senior secondary qualification that were registered, or applied for registration, on 1 July 2007, or after.

They do not apply to a school offering a senior secondary qualification:

- in relation to the VCE or the VCAL if before 1 July 2007 the school had been accepted by the Victorian Curriculum and Assessment Authority (VCAA) to offer those qualifications (the VCAA being the awarding body for those qualifications)
- in relation to the IB Diploma, if before 1 July 2007 the school had been accepted by the International Baccalaureate Organisation (IBO) to offer that Diploma (the IBO being the awarding body for the Diploma).

However, the minimum standards (including the further requirements in this part of the guide) will apply:

- as of 1 July 2012
- if the VCAA or the IBO withdraws its approval
- if the course or qualification is removed from the State Register
- if the VRQA suspends or cancels the school's registration.

The further requirements are detailed below.

School governance

Structure

The governance and management of the school must be structured to enable it to effectively manage:

- the school's finances
- the physical environment of each place where the school offers a senior secondary course
- the school's staff
- the students enrolled in the course by the school.

The school must have adequate arrangements in place to enable it to:

- provide the VRQA with any information the Authority requires about the school's probity arrangements
- provide the VRQA with any information the Authority requires to review the school's compliance with the minimum standards
- comply with any guidelines issued by the Authority.

The school must be authorised by:

- the VCAA to provide the VCE or the VCAL, or
- the IBO to provide the IB Diploma.

The school must comply with the conditions of its authorisation(s).

Evidence guide

Evidence may but will not necessarily include:

- the school's governance policy and procedures
- an outline of the governing body's structure and membership
- authorisation from the VCAA or the IBO
- allocation of the school's Victorian Assessment Software System (VASS) identity.

Curriculum and student learning

Student learning outcomes

The school must:

- deliver the course to the standards established by the awarding body for the qualification
- ensure that a student who satisfactorily completes all of the course requirements is entitled to be awarded the registered qualification.

If the school wishes to offer vocational education and training (VET) qualifications, it must meet the requirements of a registered training organisation.

Evidence guide

Evidence may but will not necessarily include:

- current VCAA administrative handbooks, VCE study designs, VCAL planning guides and course material
- procedures and documentation to inform students about standards and course requirements
- a record of staff undertaking professional development required by the awarding body
- relevant teaching resources.

Monitoring and reporting on students' performance

The school must have policies and procedures to:

- maintain accurate student records and ensure the integrity of student assessments
- ensure that it complies with the requirements of the awarding body with respect to:
 - its assessment program
 - the timely provision of data about student enrolments and results
 - retention, archiving and retrieval of student enrolments and results information so as to be able to reissue statements and certificates if required
- deal with the assessment program and the timely provision of data about student enrolments and results (if the provider is also the awarding body)
- monitor patterns of student participation and completion rates and the quality of outcomes in the senior secondary qualification
- undertake an annual analysis (that is made publicly available) of student participation and completion rates and outcomes.

The school must prepare and maintain records of student assessments and, on request, provide copies of a student's records to the student or a person authorised by the student to receive the records.

Evidence guide

There must be evidence in the form of the policy and procedures for senior secondary assessment, administration of records and monitoring and analysis of results.

Student welfare

The school must provide opportunities for students with special needs to access courses.

If the school shares responsibility for a senior secondary course with another provider, it must:

- have policies and procedures to ensure the care, safety and welfare of students who undertake learning activities with the other provider
- agree in writing with the other provider about how both will manage their duty of care responsibilities.

Evidence guide

There must be evidence in the form of an outline of how students with special needs are able to access courses. If the school shares responsibility for a senior secondary course with another provider, there must be evidence in the form of a copy of a written agreement between the providers stating how each manages its legal responsibilities for students who attend the course, travel between providers or go on excursions.

Staff employment

The school must have qualified and competent staff to teach and assess the course.

Evidence guide

Evidence may but will not necessarily include a register of teachers' qualifications or the principal's attestation of teachers' qualifications.

School infrastructure

The school must ensure that there are suitable teaching resources and physical facilities to provide the course.

Evidence guide

Evidence may but will not necessarily include:

- an overview of teaching resources
- a plan of the school showing the location of physical facilities to support the course.

Appendix 2: What is a not-for-profit school?

- 1 For the purposes of the Regulations a not-for-profit school is a school that satisfies all the following criteria:
 - the school is not established for the purpose of profit or gain
 - the proprietor of the school does not conduct the school for the purposes of profit or gain
 - no part of the profit or gain made in the conduct of the school is or may be distributed to any entity
 - all money and property received by the school or the proprietor of the school for the conduct of the school are applied solely towards the conduct of the school
 - the proprietor of the school is not a party to a prohibited agreement or arrangement
 - in the case of a non-government school, on the closure of the school, any surplus assets of the school remaining after payment of the school's liabilities are required by the constitution or rules governing the school to be:
 - used by the proprietor of the school for providing education services to school-age children or for other not-for-profit purposes; or
 - given to a not-for-profit entity operating within Australia that provides education services to school children or that has similar purposes to the proprietor.
- 2 For the purposes of Sub Regulation (1), a proprietor of a school is not to be taken to conduct the school for the purposes of profit or gain if the proprietor makes a financial surplus in the course of the proper administration of the school.
- 3 In this Regulation:

'Conduct' of a school includes:

 - fund-raising activities conducted solely for the school
 - the provision of goods and services and other matters or things to students attending the school
 - the provision of other educational or similar services.

'Entity' includes trust.

'Prohibited agreement or arrangement' means an agreement or arrangement that is made with an entity that carries on business for profit or gain where:

 - the purpose of the agreement or arrangement is to pay or divert any profit or gain made in the conduct of the school to that entity or any other entity (other than a payment made in good faith for goods provided or services rendered to the school)
 - the agreement or arrangement:
 - involves a payment by the school or the proprietor of the school for a purpose where the payment is excessive compared to the charges, fees, rates or costs for the time being prevailing in the community for payment for that purpose (other than a payment made in good faith for that purpose)
 - involves a gift, loan or similar payment by the school or the proprietor of the school (other than deposits made to a bank in connection with the conduct of the school)
 - involves a payment by the school or the proprietor of the school that is not a payment made in good faith for goods provided or services rendered to the school.

Proprietor in relation to a school includes the governing body of the school.

Appendix 3:

Attestation of school's not-for-profit status

About this attestation

Under the Education and Training Reform Regulations 2007 (Regulations 2 and 7), a school must not be established or conducted for the purpose of profit or gain if it:

- was registered after 1 July 2007
- is a non-government school that was registered with the Registered Schools Board before 1 July 2007 and seeks to amend its registration by amalgamating with another school, opening a new campus or adding a year level.

How to use this attestation

Complete this attestation if the school is applying to:

- register for the first time
- amend its registration by amalgamating with another school, opening a new campus or adding a year level.

For further information, contact the Victorian Registration and Qualifications Authority on 03 9651 3295.

Definitions

The following definitions are used in this attestation.

'Proprietor' (in relation to a school) includes the governing body of the school.

'Conduct' of a school includes:

- fund-raising activities conducted solely for the school
- the provision of goods and services and other matters or things to students attending the school
- the provision of other educational or similar services.

'Entity' includes a trust.

'Prohibited agreement or arrangement' means an agreement or arrangement that is made with an entity that carries on business for profit or gain where:

- the purpose of the agreement or arrangement is to pay or divert any profit or gain made in the conduct of the school to that entity or any other entity (other than a payment made in good faith for goods provided or services rendered to the school)
- the agreement or arrangement:
 - involves a payment by the school or the proprietor of the school for a purpose where the payment is excessive compared to the charges, fees, rates or costs for the time being prevailing in the community for payment for that purpose (other than a payment made in good faith for that purpose)
 - involves a gift, loan or similar payment by the school or the proprietor of the school (other than deposits made to a bank in connection with the conduct of the school)
 - involves a payment by the school or the proprietor of the school that is not a payment made in good faith for goods provided or services rendered to the school.

About the school

Complete the school's details below, and indicate the reason for the review.

1 The school's full name

2 The school's ABN

3 The reason for this review

This is a new school.

The school is amending its registration status.

About the school's not for-profit status

Answer ALL the following questions by crossing the correct box.

4 Is the school established for the purpose of profit or gain?

Yes No

Answer 'No' if the school complies with Regulation 7(a), which requires that a school is not established for the purpose of profit or gain. The constitution or governing documents of the school may specify that its assets and income may be applied solely for specific object or not-for-profit purposes.

5 Does the proprietor of the school conduct the school for the purposes of profit or gain?

Yes No

Answer 'No' if the school complies with:

- Regulation 7(1)(b), which specifies that a proprietor of the school does not conduct the school for the purpose of profit or gain
 - Regulation 7 (2), which provides that a proprietor of a school is not to be taken to conduct the school for the purpose of profit or gain if the proprietor makes a financial surplus in the course of the proper administration of the school.
-

6 Is any part of the profit or gain made in the conduct of the school distributed to any entity?

Yes No

Answer 'No' if the school complies with:

- Regulation 7(1)(c), which provides that no part of the profit or gain made in the conduct of the school is or may be distributed to any entity
 - Regulation 7 (2), which provides that a proprietor of a school is not to be taken to conduct the school for the purposes of profit or gain if the proprietor makes a financial surplus in the course of the proper administration of the school.
-

7 Is any money and property received by the school or the proprietor of the school for the conduct of the school NOT applied solely towards the conduct of the school?

Yes No

Answer 'No' if the school complies with Regulation 7(d), which provides that all money and property received by the school or the proprietor of the school for the conduct of the school is applied solely towards the conduct of the school.

8 Is the proprietor of the school a party to a prohibited agreement or arrangement?

Yes No

Answer 'No' if the school complies with Regulation 7(e), which provides that the school's proprietor must not be a party to a prohibited agreement or arrangement.

9 If the school is a non-government school, on the closure of the school are any surplus assets of the school remaining after payment of the school's liabilities NOT required by the constitution or rules governing the school to be:

Yes No

- used by the proprietor of the school for providing education services to school-age children or for other not-for-profit purposes

or

- given to a not-for-profit entity operating within Australia that provides education services to school children or that has similar purposes to the proprietor?

Answer 'No' if the school complies with Regulation 7(f), which provides that in the case of a non-government school, on the closure of the school, any surplus assets of the school remaining after payment of the school's liabilities are required by the constitution or rules governing the school to be:

- used by the proprietor of the school for providing education services to school-age children or for other not-for-profit purposes

or

- given to a not-for-profit entity operating within Australia that provides education services to school children or that has similar purposes to the proprietor.

10 Did you answer 'No' to ALL of above questions on behalf of a non-government school:

Yes No

- seeking registration after 1 July 2007

or

- seeking to amend its registration?

If you answered 'Yes' to this question, you indicated that your school complies with all requirements of Regulation 7 of the Education and Training Reform Regulations.

Please complete the declaration on the next page.

School's not-for-profit status attestation statutory declaration

Date and sign the following statutory declaration.

I, _____ (Full name of declarant)

of _____
(Address of declarant)

do solemnly and sincerely declare that I acknowledge that the contents of this document are true and correct and I make it in the belief that a person making a false declaration is liable to penalties of perjury.

Declared at _____
(Location of signing)

in the State of Victoria

this _____ day of _____ 20____ (Day, month and year)

I hereby confirm that the contents of this document are true and correct in every particular.

X _____ (Signature of declarant)

before me X _____ (Signature and authority of authorised witness*)

I hereby confirm that the board / committee / trustee of the school authorises the declarant to make this statutory declaration.

X _____
Signature of person authorised by the school's board / committee / trustee

(Authorised person's office)

*Authorised persons

Under the *Evidence (Miscellaneous Provisions) Act 1958*, this statutory declaration can be signed by

any one of:

- a justice of the peace or a bail justice
- a public notary
- an Australian lawyer (within the meaning of the *Legal Profession Act 2004*)
- a clerk to an Australian lawyer
- the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar of the Magistrates' Court or a registrar or deputy registrar of the Magistrates' Court
- the registrar of probates or an assistant registrar of probates
- the associate to a judge of the Supreme Court of the County Court
- the associate of an Associate Judge of the Supreme Court or an associate judge of the County Court
- a person registered as a patent attorney under Chapter 20 of the *Patents Act 1990* of the Commonwealth
- a member of the police force
- the sheriff or a deputy sheriff
- a member or former member of either House of the Parliament of Victoria
- a member or former member of either House of the Parliament of the Commonwealth
- a councillor of a municipality
- a senior officer of a Council as defined in the *Local Government Act 1989*
- a medical practitioner registered under the *Health Professions Registration Act 2005*
- a dentist registered under the *Health Professions Registration Act 2005*
- a veterinary practitioner
- a pharmacist
- a principal in the teaching service
- the manager of an authorised deposit-taking institution
- a member of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants or the National Institute of Accountants
- the secretary of a building society
- a minister of religion authorised to celebrate marriages
- a person employed under Part 3 of the *Public Administration Act 2004* with a classification that is prescribed as a classification to which this section applies or who holds office in a statutory authority with such a classification
- a fellow of the Institute of Legal Executives (Victoria).

Authorised by

VRQA
GPO Box 2317
Melbourne VIC 3001

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