

SCHOOL MERGERS GUIDELINES – THE ROLE OF SCHOOL COUNCILS

INTRODUCTION

The decision to merge schools is always based on the needs of the students, community and overall provision requirements. Regions and school councils work together to determine the best educational provisions for students.

This information has been prepared to assist schools, school councils and Regional office personnel to understand the role of a school council in a merger of two or more schools and the process and documentation required in establishing a new school council for the new, merged school.

This document provides procedures and stages for the merger of two or more schools, and the role of school council and region in the process. *Please note: some more complex reorganisations may require additional steps, support and approvals.*

1.	<p>Roles and responsibilities</p> <p>The school council plays a key role in school mergers. In particular, the school council:</p> <ul style="list-style-type: none"> ▪ formally recommends to the Minister for Education whether the school will close and merge with another school or a group of schools ▪ agrees, subject to the approval of the Minister for Education and Victorian Registration and Qualifications Authority (VRQA), the date for the merged schools to commence ▪ agrees on the name/interim name of the new, merged school in consultation with the other schools involved in the merger. This official school name is subject to approval by the Registrar of Geographic Names and the Minister for Education. For further information refer to School Naming, School Policy and Advisory Guide ▪ makes a recommendation to the Minister for Education in relation to the composition of the initial membership of the school council of the merged school
2.	<p>Making the decision to merge</p> <p>The decision to support and recommend the merger two or more schools to the Minister For Education is a significant community issue. The decision is ultimately made by the school council but needs to involve extensive consultation with the</p>

	<p>school and the local community such as parents and families, students, staff and staff associations, other schools, community members and organisations affected by the decision.</p> <p>When considering a merger, the school council takes into account a number of factors including community views; the school’s capacity to meet local educational needs and to deliver a comprehensive educational program; that appropriate transition arrangements will be in place to ensure continuity of services in the local area; minimising the cost to parents; and improving access to educational pathways and learning outcomes for the students involved.</p> <p>Regional staff will assist school communities to plan for school mergers and relocations by providing support and advice on educational programming, community consultations, transition arrangements and facility implications.</p> <p>While each school will develop a consultation process which best meets the local context, the process should:</p> <ul style="list-style-type: none"> ▪ allow sufficient time for the school community to become fully aware of the proposal and issues, and respond ▪ include a range of school community forums, such as information sessions and focus groups that allow opinions to be canvassed and taken into account. <p>As a result of the consultation process, the school council should be able to provide evidence that the school community supports the merger. If there has been any opposition, the council should advise whether this has been resolved.</p>
3.	<p>Establishing the merged school - councils formally determine they wish their schools to merge</p> <p>Each school council involved needs to meet separately and pass motions to indicate the following decisions:</p> <ul style="list-style-type: none"> ▪ agree to the merger of schools X, Y and Z to form one school. ▪ agree to the interim name of the merged school to be used in the planning stages until the Registrar of Geographic Names has approved the official name of the school. ▪ support for the process for deciding the official name of the school that must be undertaken within the formal school naming process. This process is outlined in Naming a School, in the School Policy and Advisory Guide ▪ agree, subject to the approval of the Minister and VRQA registration, the effective date of commencement of the merged school. The

	school would normally commence on 1 January of the specified year.
4.	<p>School councils advise Regional Director of proposal to merge</p> <p>Each school council advises the Regional Director in writing of:</p> <ul style="list-style-type: none"> ▪ the motions passed at a properly constituted school council meeting held on XXX date ▪ to achieve a quorum not less than half of the members currently holding office must be present and non-Department members must be in the majority <p>NB: Non-Department members mean parents (excluding those who work at and for the school) and community members</p> <ul style="list-style-type: none"> ▪ details of the vote, including: <ul style="list-style-type: none"> – the names of the school councillors present and their category (parent, Department employee, community member) – members absent – the voting results for each motion (e.g. passed – unanimous; passed – 12 for, 2 against, 1 abstained) – the number of non-Department members present who voted in favour of the merger ▪ details of the consultation process undertaken to seek input and support from the school community and where there has been opposition, whether this has been resolved.
5.	<p>Regional Director reviews the proposal and makes recommendations through the Deputy Secretary, Regional Services group (RSG) and the Secretary, to the Minister for Education</p> <p>The approval of the merger of the schools is the responsibility of the Minister for Education.</p> <p>The Regional Director arranges a formal briefing from the Deputy Secretary, RSG, to the Minister that includes:</p> <ul style="list-style-type: none"> ▪ the proposed structure of the school provision ▪ the names of the schools merging, the interim name of the merged school and the effective date of the merger (being the date of commencement of the merged school) ▪ evidence that the merger makes sense from an educational viewpoint ▪ evidence that local communities have been consulted about the

	<p>merger and support it and where there has been opposition, whether this has been resolved</p> <ul style="list-style-type: none"> ▪ a recommendation that an interim school council be formed for the merged school representing the schools and local community in the proposal ▪ the processes in place to ensure that the proposed school name for the merged school (and campus names if appropriate) will comply with Naming rules for places in Victoria <p>Information about the processes for planning new schools is available on EduGate. The Minister then approves/does not approve the merger.</p>
6.	<p>Regional Director advises school councils of the Minister’s decision</p> <p>The Regional Director formally advises in writing all school councils and principals involved in the merger of the Minister’s decision and the next steps. The letter should be jointly addressed to all councils involved so that it is clear that they have received the same advice. In some circumstances, such as a complex regeneration project, the Regional Director may appoint a regeneration project director to oversee the merger project.</p>
7.	<p>Establishing a school council following a decision to merge</p> <p>Once a merger is approved by the Minister, a school council must be established for the merged school.</p> <p>The school council will be constituted on the effective date of the school merger.</p> <p>The Minister must approve the size and configuration of the school council for the merged school and the time frame for the first school council elections to be conducted. Until completion of the first election, the school council operates with an appointed or interim membership.</p> <p>Members are generally nominated by the school councils involved in the merger and their nominations must be endorsed by the Regional Director. The appointed council members are formally appointed by the Minister. See Attachment A at the end of these guidelines.</p> <p>These arrangements provide an opportunity for Parent, Department of Education and Training (DET) and Community representatives from each school council involved in the merger to participate in establishing the new school council.</p>

8.	<p>Human Resources Division undertakes union consultation</p> <p>Following advice that the Minister has approved the proposed merger, Human Resources Division will inform the relevant unions representing employees in government schools of the proposed merger.</p>
9.	<p>Appointing a principal for the merged school</p> <p>The Regional Director will appoint an acting principal to take up duties on the commencement of the school - the effective date of the merger, and until a substantive principal is appointed.</p> <p>The acting principal, will be the executive officer of the council and a member of the school council by virtue of the office of principal.</p> <p>The new council will be involved in the appointment of the substantive principal and will use schedule 1 of Ministerial Order No. 2 for the selection process.</p>
10.	<p>Staffing arrangements</p> <p>In the merger of two or more schools, the staffing arrangements are set out in the School Merger or Closure Staffing Guide</p>
11.	<p>School councils recommend arrangements for the school council for the merged school</p> <p>In the event that the Minister approves the merger, each school council involved must meet and pass motions to indicate the following decisions:</p> <ul style="list-style-type: none"> ▪ The proposed membership of the <u>appointed</u> school council for the merged school to be recommended for appointment by the Minister in the transition period to the first election. <ul style="list-style-type: none"> – Each school council involved should determine which of their current school council members (if any) are to be recommended to the Minister for appointment as initial members of the school council. – Appointed initial school council membership would normally comprise Parent, Department employee and Community members. The principal or acting principal of the merged school will be a member (ex officio) of the school council of the merged school in the Department employee category. ▪ The size and configuration of the appointed membership of the school council.

	<ul style="list-style-type: none"> - Under the transitional provisions, the size and configuration of the initial appointed membership does not need to conform to a configuration in schedule 2 of Ministerial Order 52. This is available at School Council Elections and in The Principals Guide to School Council Elections. However, the council must have a majority of non-Department members. - While the initial appointed membership of a school council may exceed 15 people (the existing maximum under schedule 2), consideration should be given to ensuring that the size of the council is workable. - The initial appointed members of the school council will hold office until the date of declaration of the poll for the first school council election. The term of office of members of the elected council will commence on the day after declaration of the poll for the first school council election poll. ▪ The size and configuration of the <u>elected</u> school council for the merged school. <ul style="list-style-type: none"> - The school council size must match a configuration in schedule 2. ▪ The timeframe in which the first school council election will be conducted. <ul style="list-style-type: none"> - In most cases, schools choose to have their first school council election in February/March. This date corresponds with school council elections conducted across the State. The elections may be held the first year of the merged school or occur in February or March the following year. In addition, councils may determine to request the first school council election to be conducted at another time of the year. Where this is the case, a six week period should be allowed for the election process to be completed.
12.	<p>School councils advise the Regional Director of proposed arrangements for the new school council</p> <p>School councils advise their Regional Director of:</p> <p>Elected school council</p> <ul style="list-style-type: none"> ▪ The size and configuration of the <u>elected</u> school council. A size and configuration of a total of 15 members, comprising 8 Parent members, 5 Department employee members and 2 Community members will be stated in the Order if councils do not specify the desired size and configuration of the elected school council. Possible configurations are outlined in schedule 2 of the standard constituting

	<p>Order.</p> <ul style="list-style-type: none"> ▪ The period during which the first school council election will be conducted, e.g. between the school year commencement date and 31 March, or during a six - week period, including a commencement and an end date, determined by the school councils. <p>AND Transitional arrangements – school council with appointed membership</p> <ul style="list-style-type: none"> ▪ The names, residential addresses and membership categories of the persons recommended for initial appointment to the <u>appointed</u> school council for the merged school and brief background information outlining the person’s involvement with the school, e.g. former president of XXXX school council, Community member with expertise in finance, nominated by all schools involved in merger. ▪ Details of the manner in which the persons proposed to be appointed to the school council were selected, e.g. consultation with local community, each council selected members by vote. <p>Eligibility of proposed appointees to the school council</p> <p>The principal must arrange for each proposed appointee to the school council to complete an Expression of Interest form, available at School Council Functions. The forms should be retained at the school.</p> <p>Subject to the principal being satisfied that the proposed appointees are suitable and eligible for appointment to the school council, the principal must provide written confirmation of that suitability and eligibility to the Regional Director. See Attachment A at the end of this document.</p>
13.	<p>Approving the appointment of the initial members of the school council for the merged school</p> <p>Initial appointments of members to school councils are the responsibility of the Minister for Education.</p> <p>To enable School Operations and Governance Unit (SOGU), Regional Services Group, to prepare a briefing seeking a Ministerial Order which constitutes the new school council and dissolves the old school councils the Regional Director provides the following information:</p> <ul style="list-style-type: none"> ▪ The proposed name and number of the merged school and advice as to whether that name has been approved by the Registrar of Geographic Names. ▪ The address of the school.

	<ul style="list-style-type: none"> ▪ Details of the merging schools. ▪ A copy of the briefing wherein the Minister approved the merger of the schools. ▪ Name of principal/acting principal. ▪ The names, residential addresses, membership categories and a background note on each of the persons proposed to be appointed as initial members of the new school council. ▪ Details of the manner in which the persons proposed to be appointed as initial members of the school council were selected, e.g. consultation with local community, members of the school councils of the merging schools selected by vote. ▪ The size and configuration of the elected school council. A size and configuration of a total of 15 members, comprising 8 Parent members, 5 Department employee members and 2 Community members will be stated in the Order if the desired size and configuration of the elected school council is not nominated. ▪ The period during which the first school council election will be conducted, e.g. between the school year commencement date and 31 March, or during a six-week period, including an end date, determined by the school councils. ▪ Written confirmation from the principal that the proposed appointees to the school council are suitable and eligible. <p>This information should be sent to the SOGU at school.council@edumail.vic.gov.au using the form 'Request for a school council constituting Order – school merger – and Attachment A'.</p> <p>NB: At least two months should be allowed for Ministerial approval to be obtained.</p>
14.	<p>Preparing for registration</p> <p>Under the Education and Training Reform Act (ETRA) 2006 and the Education and Training Reform Regulations 2017, the Department is required to apply to the VRQA for the registration of new schools, merged schools, new campuses, school relocations or schools adding an additional year level. With a merger of schools, whilst Ministerial approval is required for the merger, registration of the merged school with the VRQA must be obtained before the merged school can commence. This process requires an application with evidence that the new or merged schools meet the minimum standards for registration.</p> <p>Following advice that the Minister has approved the proposed merger, the Integrated Provision and Design Unit (IPDU), Regional Services Group, and the Special Education and Improvement Leader (SEIL) or Regional Director's nominee</p>

supports the schools to prepare and collate the required documentation to gain registration of the merged school.

Schools should IPDU at school.reorganisation@edumail.vic.gov.au for further information about the registration requirements. The final application for registration is lodged with the VRQA by the Deputy Secretary, RSG.

NB: Registration applications must be submitted mid-year of the previous year to opening, to ensure time is allowed for VRQA registration to be obtained. Consequently, schools and Regional offices should ensure that sufficient time is available for the preparation and forwarding of the appropriate documentation to IPDU for submission to the VRQA, to enable the new entity to commence by the proposed date.