

**Guide for Principals - School Council Information**

Principal as executive officer of the school council

The principal as executive officer must ensure:

* adequate and appropriate advice is provided to the school council on educational and other matters
* the decisions of the school council are implemented
* adequate support and resources are provided for the conduct of school council meetings.

Membership

* The school council membership size and configuration under its constituting Order is available on the online Schedule 7, refer to the School Policy and Advisory Guide – [Conducting an Election](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/election.aspx)
* For the majority of school councils, there are three categories of membership (parent, Department of Education and Training (DET) employee and community). More than one third of the membership must comprise parent members. DET employees must not comprise more than one third of the membership. DET employees are ineligible to be community members and parent members of the school if their children attend the school and they work there. The principal is included in the DET employee category.
* A person must be eligible for election or cooption to school council. They must not be an undischarged bankrupt, not of unsound mind, not serving a sentence for an indictable offence and not a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*.
* The membership size and configuration of the school council can be changed once a year. For the details of the process, see: [School Council Elections](http://www.education.vic.gov.au/school/principals/management/Pages/schoolcouncilelect.aspx)

Terms of office

For elected positions (parent and DET), the term of office is approximately two years commencing on the day after declaration of the poll and ending on the day of the declaration of poll in the second year

* For persons coopted to community member positions, the term of office commences on the date of co-option and ends on the date of declaration of the poll in the second year following.
* For casual vacancies, the term of office commences on the date of cooption and ends on the date the vacating member was due to cease office.

Elections

Must be conducted by the principal (or nominee) each year between the first day of Term 1 and 31 March.

Process after election:

* Special meeting held if council has vacant community member positions for purpose of coopting community members.
* First council meeting held after election to elect office bearers. The president cannot be a Department employee.
* President Edumail account must be updated with the details of the president elected at the first meeting and details of president entered on CASES21.
* Schedule 7 is to be completed online by 30 April, refer to the School Policy and Advisory Guide – [Conducting an Election](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/election.aspx)

Meetings

Quorum

* For a school council to make a valid decision, a quorum must be achieved at a meeting. A quorum is achieved if not less than one half of the members currently holding office are present and a majority of the members are not Department employees. Members may attend a meeting in person, by videoconferencing or teleconferencing.

Annual public meeting

* A public meeting must be held each year and the proceedings of the council since the last public meeting must be reported and a copy of the annual report and the accounts of the school council if they have been audited must be presented.

General meetings

* School council must meet at least eight times in each year and at least once per term.

Extraordinary meetings

* An extraordinary meeting of the school council may be held at any time decided by the council, if all members are given reasonable notice of the time, date, place and object of the meeting, see: [School Councils – Legal Framework](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/legalframework.aspx)

Chairing meetings

* The president elected by school council presides at school council meetings other than a special meeting held after the election to elect office bearers where the principal presides. If the president is unable to preside at a meeting, school council elects a member (other than a Department employee) to preside.

Decisions

* A school council decides matters by voting. If votes are tied, the presiding member has a second or casting vote.

Conflict of interest

* If a member of the school council or a member of his or her immediate family has any direct conflict of interest (including a pecuniary interest) in a subject or matter under discussion at a school council meeting, that member -

a) must not be present during the discussion unless invited to so do by the person presiding at the meeting; and

b) must not be present when a vote is taken on the matter; and

c) may be included in the quorum for that meeting.

Minutes

* The principal must ensure an official record of school council meetings is maintained. The minutes should record a summary of matters discussed at the meeting, decisions made and actions to be taken.
* The school council should keep the community informed about its operations by publishing a report following a meeting in the school newsletter and/or on the school website.
* A person does not have a right of access to school council meeting minutes, documents or records under the *Freedom of Information Act 2000.*

Open and closed meetings

* School council meetings would normally be open to the school community. Visitors can be present at council meetings with the agreement of the principal and a decision of council. School council may close a meeting, see: [School Councils – Legal Framework](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/legalframework.aspx)

Casual Vacancies

* For the circumstances in which a casual vacancy is created see: [School Councils – Legal Framework](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/legalframework.aspx)
* School council may fill a vacant position by co-opting an eligible person for the unexpired portion of the vacating member’s term of office.

Subcommittees

* May be formed by the school council to assist the council.
* Consist of at least 3 members one of which must be a school council member.
* Meet as directed by the school council.
* Report, in writing, to the school council at subsequent meetings of the school council.

Delegations

* A school council is able to delegate certain powers or duties (use of school grounds or buildings when not required for ordinary school purposes and school forest plantations controlled by the school council). Other powers or duties may only be delegated with the written approval of the Minister.
* A school council cannot delegate its functions or powers relating to the approval of the school budget and annual report.
* A delegations register must be maintained.
* Specific information pertaining to school council delegations is available at School Councils Legal Framework, see: [School Councils – Legal Framework](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/legalframework.aspx)

Contracts

* The Department provides advice on contracts and standard contracts school councils to use. For these contracts and the Legal Division’s contact details see: [Legal – School Council – Purchasing Goods or Services](https://edugate.eduweb.vic.gov.au/Services/legal/Pages/School%20Council%20-%20Purchasing%20Goods%20or%20Services.aspx)

Further information

* For further information, please email school.council@edumail.vic.gov.au