

# WAPPA Regulatory Guidance Statement

## Successful School Governance

Moving from a School Council to a School Board under IPS

## Statement 01

February 2015

### Overview

With new schools transitioning to the Independent Public School initiative (IPS), it's important for Principals, Boards and communities to understand their changing roles.

The IPS initiative was designed to *essentially shift decision-making from central office to schools*. It also aims to *facilitate stronger engagement between schools and their community*.<sup>1</sup>

Greater community participation benefits everyone and all Principals want to work with their parents and their Boards, to improve outcomes for children. Sometimes though, the line between who is responsible for what becomes blurred. Complex, emotive issues can engender a desire to be part of the solution, and, if left unchecked, Board discussions can quickly stray from school strategy into school management territory.

To avoid this pitfall, Board members need to clearly understand the ambit of their role. It's not about running the school (the Principal's job), but setting its long-term future and maintaining an oversight of operations. Principals who help build this understanding from the outset will not only close the gap between expectation and authority, but will also improve the capacity of their Board to function effectively.

### 1. The governance framework: moving from Council to Board

With the publicity around IPS, and the anticipation of greater community involvement, it's easy to overlook that the School Board falls under the same governing legislation as the School Council, and therefore retains the same legislative authority.

In the IPS context, the School Council is simply referred to as a School Board.

#### 1.1 Identical legislative authority

School Councils and Boards make decisions within a policy and legislative framework including:

- The School Education Act 1999 (SEA)
- The School Education Regulations 2000
- School Councils Policy 8 March 2013
- School Councils Procedures 8 March 2013

The legislation outlines the functions of the Council or Board and the scope of their authority. Additionally, both Councils and Boards must operate under Terms of Reference compliant with the legislation.

The important point to remember is that School Boards and School Councils have identical legislative functions.

Although the Principal's autonomy has increased with the IPS initiative, the Board's legislative authority remains the same.

#### 1.2 So what is the difference?

**The point of difference between School Councils and School Boards is that a Board, unlike a Council, is required to sign off on the Delivery and Performance Agreement.**

Accordingly, Independent Public Schools must comply with the governance requirements of:

- the legislation and policy referred to in it
- their Delivery and Performance Agreement
- their individual Terms of Reference.

#### 1.3 Delivery and performance agreement

The Delivery and Performance Agreement (DPA) is a binding agreement between three parties: The Department of Education (Director General), the School (Principal) and the School Board (Chair). All Independent Public Schools are required to sign off on a DPA, which is in generic format, modified for individual school programs.

The DPA operates for three years and sets out the roles and responsibilities of the parties during that time.

The DPA places specific performance and accountability expectations upon schools in eight areas of:

1. Teaching and learning.
2. Student performance monitoring.
3. Resourcing and support.
4. Program delivery.
5. Compliance.
6. System requirements.
7. School Boards.
8. Business planning.

All of these areas impact the workings of the Board, but it's the "School Board" clause, (Clause 17), which specifically addresses Board functions.

**So if it's not the legislation, is it the DPA that now "empowers" IPS School Boards, giving them decision-making functions beyond those of School Councils?**

No. The DPA does not - and cannot - increase the Board's autonomy beyond that granted by legislation. The only distinctions between Councils and Boards are that:

- the Board signs off on a Delivery and Performance Agreement
- pre-approval has been given for IPS Boards to take part in the selection of the Principal
- Boards take part in the DES independent review at the end of the three year DPA cycle.

To avoid confusion - and to improve effectiveness - Council Members need to know upfront that their authority won't suddenly increase simply because the Council has become a Board.

**But Boards beware: don't take the DPA lightly.** Although it doesn't increase the Board's power, the DPA does increase the accountability of both Boards and Principals to their community.

Principals need to be particularly aware that under the DPA and the School Councils Policy, Principals themselves are responsible for ensuring the Board fulfills its functions. Failure to do so could become a performance management issue.

Yet rather than being onerous, the DPA accountabilities can be employed to the Principal's advantage and, most importantly, the advantage of the school.

**If used correctly, the DPA can change the way the school's governing body goes about its business: not increasing its functions, but significantly increasing its functionality.**

Studies show that effective School Boards are accountability driven, spending less time on operational issues and more time focused on policies to improve student achievement.<sup>2</sup>

The DPA can help you do this.

## 1.4 Making the most of the DPA

Knowing that legislative functions don't change makes the transition from Council to Board seem much more achievable.

Similarly, viewing IPS and the DPA as an opportunity to address not what the Board does, but how it does it, creates more manageable community expectations and increases Board effectiveness. In fact, the DPA helps regulate both expectations and accountabilities by articulating responsibilities more clearly.

Principals and Boards can use the detail in the DPA to drive the Board's agenda and keep the focus on long term school improvement, drawing a stronger distinction between school management and school direction.

## Unincorporated Council/Board functions

Councils/Boards take part in:

- establishing, and reviewing from time to time, the school's objectives, priorities and general policy directions (SEA s.128(a)(i))
- planning of financial arrangements necessary to fund those objectives, priorities and direction (SEA s.128(a)(ii))
- evaluating the school's performance in achieving them (SEA s.128(a)(iii))
- formulating codes of conduct for students at the school (SEA s.128(c)).

Councils/Boards determine:

- in consultation with students, their parents and staff, a dress code for students when they are attending or representing the school (SEA s.128(d)).

Councils/Boards promote:

- the school in the community (SEA s.128(b)).

Councils/Boards provide advice to the Principal of the school on:

- a general policy concerning the use in school activity of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education (SEA s.70)
- allowing time for special religious education (SEA s.69(2)).

Councils/Boards approve:

- charges and contributions determined by the Principal for the provision of certain materials, services and facilities (SEA s.99(4))
- extra cost optional components of educational programs determined by the Principal (SEA s.100(3))
- items determined by the principal to be supplied by a student for personal use in an educational program (SEA s.108(2))
- any agreements or arrangement for advertising or sponsorship in relation to the school (SEA s.216(5)).

Additional functions:

IPS Boards take part in

- the local selection process for principals (SEA s.129(2)).

Councils take part in

- the local selection process for Principals, with the *Deputy Director General, Schools'* approval.

Councils/Boards take part in:

- the local selection process for any other member of the teaching staff, with the *Deputy Director General, School's* approval .

## Incorporated Council/Board functions

Incorporated Boards/Councils can:

- obtain funds for the benefit of the school
- employ other than department staff
- manage school facilities.

## 2. Board functions – what does the Board do?

The majority of schools have their needs met by an unincorporated School Board. The Board is separate from school management, but, unlike the P&C Association and an incorporated Board, does not have a separate legal entity.

Boards can apply to become incorporated if they wish to take on further obligations, additional to those of an unincorporated Board (e.g. employment). These additional functions are not addressed here, but the information below is still pertinent to incorporated School Boards.

Board functions are grouped by level of involvement. Boards:

- take part in
- determine
- approve of
- provide advice to the Principal on
- promote.

These functions (listed previous column) are derived from the School Education Act (1999) and detailed in School Council Procedures (8 March 2013).

To keep the focus on strategy, it's helpful to look at these functions individually and ask:

- What does the legislation say?
- What is in the DPA?
- What should Boards be asking?
- What information will assist the Board?

### 2.1 Objectives, priorities and general policy directions

#### What does the legislation say?

Councils/Boards take part in establishing and reviewing from time to time, the school's objectives, priorities and general policy directions (SEA s128(a)(i)).

Establishing objectives and priorities is future focused work. Setting them involves determining what the school wants to achieve and the order in which it will tackle it. How the Board "takes part" in establishing objectives and priorities is essentially up to the Board itself. The words "take part in" don't have a legislative definition. However, the previous School Councils Policy (2004) did provide some guidance:

*It could involve the Council or Board in discussion, consultation, assessment, debate and negotiation of issues on behalf of students, parents and the school community.*

#### What is in the DPA?

The DPA can help the Board fulfill this function.

The contractual obligations of the DPA sit underneath the Act and give further meaning to "take part in". Remember, Principals and Board Chairs sign up to this level of participation and, as your school transitions, it is important to ensure that your practices meet the requirements of the DPA.

The following clauses of the DPA are important:

The School Board participates in:

- endorsing the Delivery and Performance Agreement
- endorsing and reviewing annually the school Business Plan
- processes to review school performance
- processes to determine satisfaction levels of parents, staff and students, with results reported in the annual school report
- endorsing the school's annual report. (DPA Clause 17(c)).

Regular assessment of performance and community satisfaction helps to both track the school's progression and inform future planning.

Under the DPA, the Board is obliged to participate in processes that review achievement data and determine satisfaction levels. This participation in turn enables the Board to play a meaningful role in fulfilling its statutory obligation of "taking part in *establishing and reviewing objectives priorities and general policy directions.*"

Again, what it means to "participate" is up to the Board. (Interestingly, this wording is a departure from earlier DPAs which used the phrase "participate *fully*").

The DPA doesn't define "participate", nor are there guidelines to guarantee that participation has taken place. However, this is where the Board should gradually come into its own, determining internal practices to ensure that meaningful participation has taken place. Often, this begins with simply asking the right questions.<sup>3</sup>

The Evaluation of the Independent School Initiative (May 2013) found that, in the best scenarios, Board members were supportive of school initiatives to benefit students and "*they reported engaging in robust questioning and discussion before decisions were made, thereby making the school more accountable.*"

#### What should the Board ask?

To help the Board fulfill its legislative functions, Members should begin by asking some fundamental accountability questions to guide their thinking including:

- What is our school purpose/vision?
- Is it aligned with the Department of Education's priorities?
- Do our parents and students know our vision?
- If we achieved our vision, what would our school look like?
- What are we doing well now – what are our strengths?
- What are our academic and non-academic goals?
- Are we achieving them? How do we know?
- Is our achievement good enough?
- How does the performance of our students compare with those of like schools?
- What needs improvement? What will we focus on now and in future years? How will we show this in our Business Plan?
- Do our policies support the direction we want to take?
- What actions do we need to take to improve in focus areas?
- What improvement is expected? How will we measure it?
- How will we report on our progress in the Annual Report?

These questions help Board Members take an active role in the school improvement cycle of:

**Assessing** data and other evidence related to student achievement and school operations

**Planning** to improve the standards of student achievement

**Acting** to implement planned strategies.<sup>4</sup>

#### What information will assist the Board?

Whether IPS or not, Principals have always been required to provide the Council/Board with information and support sufficient to enable members to undertake their functions. (School Councils Policy 8 March 2013, SEA s134).

Previously, it may have been possible to comply in a cursory way. However, the DPA articulates this obligation more fully, requiring that data, which is relevant and specific enough to demonstrate progress against the Business Plan, be provided regularly to the Board.

The Principal will ensure progress against the school's Business Plan is reported regularly to the School Board; DPA Clause 17(d).

Signing up to the DPA gives Principals and Boards an opportunity to review the level of information the Board obtains and the regularity with which it is acquired, developing new practices to enable greater Board discussion.

Again, what "regularly" means may differ from Board to Board, but Boards have an opportunity to define this by setting the number of meetings in their Terms of Reference (at least quarterly), and establishing protocols on the information provided by the Principal, gathered by the Board in each meeting.

Establishing a reporting protocol also helps focus attention, ensuring the Board concentrates on the long-term goal of improving student achievement, not short-term issues or operational matters.

## 2.2 Financial planning

### What does the legislation say?

Councils/Boards take part in the planning of financial arrangements necessary to fund those objectives, priorities and direction; SEA Section 128 (a).

Boards are required to ensure that the school has sufficient resources to fund its objectives and priorities. Again, "taking part in" doesn't mean that the Board has the ultimate decision-making function. However, the Board should be involved in discussions about the budget and Principals will need to account to the Board for the allocation of funds and resources.

### What is in the DPA?

The DPA ensures the Board endorses and reviews the school's budget at least on an annual basis.

School Boards will participate in endorsing and reviewing annually the school budget; DPA Clause 17(c)(ii).

Note that this doesn't mean to say that a Board can't establish protocols for more regular reviews of the budget. The Financial Management in Schools Accounting Manual (3.1.4) imposes regular budgetary review and requires that any major revision is to be endorsed by the Council or Board.

The 2014 DPA "Resourcing and Support" obligations upon Principals have been expanded. Clauses 13(a-l) articulate 12 requirements for Principals to meet.

Many of these address the priorities in the new SCFM and schools will be ensuring their budget complies as they transition to 2015.

### What should the Board ask?

Board members can help gain a greater insight into funding by asking:

- How is the school funded? What money comes from the Department of Education, voluntary contributions, hire of premises etc?
- How has the budget been calculated? Is it equitable?
- Is there funding for the school's priorities?
- Is the school making provision for future large expenses?
- Are the needs of all students being met equitably?
- Is the funding for special needs and school characteristics being used to support the students for whom it is provided?
- How is the school spending monitored throughout the year?
- As a school, are we complying with the Resourcing and Support requirements in the DPA?

### What information will assist the Board?

The DPA puts the "Resourcing and Support" accountabilities on the Principal – not the School Board. However, the Board must review and endorse the budget (DPA) and take part in planning financial arrangement to fund objectives (SEA).

To enable the Board to fulfill this function, Principals should be in a position to demonstrate that funds have been properly allocated in accordance with the DPA and Department policy requirements.

Again, establishing a consistent financial reporting protocol for each meeting can help the Principal and the Board meet accountabilities, including regularly monitoring the budget and transparently reporting it to the school community.

## 2.3 Evaluating the school's performance in achieving its objective.

### What does the legislation say?

The school Council/Board will take part in evaluating the school's performance in achieving its objectives, priorities and general policy directions SEA s.128(a)(iii).

Self Assessment processes are an essential part of school improvement and the Board plays an important role in ensuring that the school stays on track and is responsive to identified needs.

### What is in the DPA?

The School Board participates in:

- processes to review school performance
- processes to determine satisfaction levels of parents, staff and students, with results reported in the Annual Report (DPA 17(iii) and 17 (iv)).

The commentary in paragraph 2.1 'Objectives, Priorities and Planning' is relevant. Again, the Board's involvement in evaluation gives it a "meatier" function, which assists in the long-term oversight of the school.

### What should the Board ask?

Boards can participate in reviewing and reporting on school performance by asking:

- What information are we collecting, or do we need to collect?
- Who are we collecting it from? Does it include students, staff and parents?
- Are our processes for collecting information clear and reliable?
- Are we interpreting the information collected correctly? What does it tell us?
- Are trends emerging in our information? Are they significant? If we keep going in this way, what will it look like in X years time?
- Is the information supporting the outcomes we want?
- Are we making progress in our priority areas? What more should we be doing?
- Does the information cause us to review our priorities, or change the way we are doing things?
- How should we report this information to the community in the Annual Report?

#### What information will assist the Board?

Good planning and improvement requires consistent monitoring of performance and collection of data. This is nothing new for Principals. The School Improvement and Accountability Policy (2009) requires Principals, in collaboration with school staff, to undertake self-assessment that results in judgments about the standards of student achievement and the effectiveness of school processes in maximizing student achievement.

The DPA contractually obliges the Principal to ensure “continuous and rigorous” self-assessment processes are used to verify the performance of the school. (Clause 12 Student Performance Monitoring).

Information transparency at Board level is a priority. Data gathered in the school’s self-assessment processes must be available to the Board, and the Board must be data literate, understanding the information provided.

This is especially so given that, at the completion of the DPA’s three year cycle, the Department of Education Services will conduct a review to see whether the school has met its commitments as outlined in its DPA and Business Plan.

The DES review will want evidence to show that the School Board has monitored the school’s performance and that it is has been publicly accountable to the school community in its Annual Report.

During the DES review the school will focus on both its achievements (and how they are sustainable) and its areas for improvement (and how improvement will be achieved).

In essence, this means that the Board must know the school context and data, and be able to show evidence of responsiveness to both.

## 2. 4 Codes of conduct

#### What does the legislation say?

The school Board will take part in formulating codes of conduct for students at the school. SEA128 (c).

The Board “takes part in” formulating codes of conduct. Again, under the SEA, the Board does not have the ultimate decision making role. However, the Department’s Behaviour Management in School’s Policy (2008) does require that Boards endorse the Code of Conduct.

The Policy describes the Code of Conduct as *the school community’s expectations of student behaviour and management procedures to implement the code. The school council assists with the formulation of the code of conduct, including specific behavioural consequences and serious breaches of discipline that adversely affect or threaten safety.*

#### What is in the DPA?

The DPA is silent on the codes of conduct for students. However, processes that review school performance (Clause 17), and in which the Board participates, should monitor not just academic performance, but a supportive culture, behavioural attitudes and a positive learning environment – all of which impact upon the conduct expected at the school.

Parent and community members must be confident that their viewpoints and expectations are taken into consideration. When this occurs, staff can be assured that they have the support of the school community when implementing the Code of Conduct.

#### What should the Board ask?

- What is the Department’s policy on Behaviour Management (2008) and Duty of Care for Students (2007)?
- What behavioural expectations do we have for our students as a community?
- What does our community perceive as acceptable behaviour and serious breaches of discipline?
- How do we encourage good behaviour in our school?
- How effective is our present behaviour management policy? How do we know?
- Are our parents and students sufficiently aware of our Code of Conduct?
- Are parents informed when breaches of discipline occur? Are they involved in the discipline process?
- If suspension or exclusion is necessary, how are students supported educationally throughout the process? What happens when students return to school?

#### What information will assist the Board?

Boards need to be familiar with the Behaviour Management in Schools Policy and their school’s individual data to support any policies about behaviour.

As with all school matters, the Code of Conduct for a school should be reflective of its vision and context, but not individual students. Boards should at no time be crossing the line into school management by discussing the individual behaviour of a student.

Because successful implementation of the code of conduct is a community responsibility, Boards should ensure that parents understand the behaviour management processes in the school, that such processes are responsive to community needs and that they have the support of parents.

Boards might gather information about community support and opinion through surveys, forums, consultation with the P&C, discussions with teachers, pastoral carers or other appropriate persons.

## 2.5 Dress code

#### What does the legislation say?

When it comes to the dress code, the decision making function of the Board increases significantly.

Councils/Boards determine in consultation with students, their parents and staff a dress code for students when they are attending or representing the school. SEA s128(d).

To “determine” represents a change from “taking part in” to a stronger, more direct and authoritative role for the School Board with a greater involvement and a clearly defined decision-making function.<sup>5</sup>

#### What is in the DPA?

The DPA does not address the dress code, however the Board can seek further guidance from the Dress Requirements for Students Policy (2007).

The Policy (updated 29.11.2013) sets out the procedures for developing and changing dress requirements. These must be based on advice from students, parents and staff, and information from regular review of the dress code including patterns of exemptions granted.

The Board also determines details of procedures for managing exemptions and non-compliance. However, it is up to the Principal to grant exemptions for individual students, the basis for which is set out in the legislation. The sanctions, which the Principal may apply for non-compliance, are also detailed in the legislation. Again, discussion of an individual student’s compliance or exemption is an operational issue and it is not appropriate at Board level.

#### What should the Board ask?

In determining a new dress code, or changes to an existing one, the Board can begin by asking:

- Is our dress code fair and reasonable for all?
- Is compliance achievable, having regard to cost and availability of items?
- Does the dress code provide an “identity” for the school, different from surrounding schools?
- Is the code reflective of activities carried out by students at the school and compliant with occupational health and safety requirements?
- Does the code respect the cultural background of students?

#### What information will assist the Board?

To help inform the Board when reviewing the dress code policy, evidence on patterns of non-compliance and exemptions granted to date will be helpful.

The Board should also consider the activities undertaken at school and the occasions on which students will be required to represent the school at public events.

It will be necessary for the Board to consult widely with the parents, students and the community to ensure that the dress code meets student requirements, creates a positive identity in which student’s take pride and is reflective of community and department expectations about dress standards.

## 2.6 Promotion of the School

#### What does the legislation say?

Councils/Boards promote the school in the community. SEA s. 128 (b).

There is no legislative guidance on what “promotion” demands.

Generally speaking promotion includes actively encouraging, or furthering the progress of the school within the community – fostering community involvement, building a good reputation and projecting a positive image.

#### What is in the DPA?

The DPA addresses “promotion” as it relates to the Board’s own activities, but is otherwise silent.

The School Board participates in communicating with the broader school community regarding the Board’s functions and activities. DPA CI17(c)(viii).

This requirement underlines the philosophy behind IPS to increase involvement, build the profile of the Board in the community and operate transparently.

The Board should develop communication practices to ensure its functions are understood and that its decisions and activities stand up to scrutiny.

#### What should the Board ask?

The Board’s role – and responsibility - is to support the school within the context of the wider community and, with the transition to IPS, ensure that community involvement is maximised.

Parents and staff can quickly become alienated if left out of the information loop. It is therefore important, from the outset, that Boards operate in an environment of transparency and trust. Principals and Boards have a responsibility to ensure that information has been received from, and is communicated to, many sources. Although the Principal will often be the primary source of information, he/she is by no means the only one. Teachers, parents and community are essential components in the information flow.

To ensure interaction is maximised, School Boards need to think deeply about the image of their school, and the perception their communication is creating. Is it representative of school values? Is it positive? Is it encouraging engagement? Are messages consistent? Do students and families feel good about attending the school?

Communications need to be reflective of, and further enhance, the school identity. In considering the promotion of the school, Board Members could be asking:

- Who are we? What do we stand for? What aspects of the school do we want to promote?
- Who is our audience? Who do we want to target?
- Are our messages consistent? Are they informed? By whom?
- How do we enhance community involvement and support in the school?
- Are we engaging enough with our teachers and parents? Do we show we value them, and the action they take in the school to further our vision?
- Why do people choose this school?
- Do we need to increase enrolments? How do we attract new families to the school?
- What messages increase parent and staff commitment?
- Do we need marketing advice or public relations expertise?
- What are other schools in the area doing? Does this impact upon us?

### What information will assist the Board?

Boards might start by obtaining data about enrolment trends, community involvement, newsletter circulation and uptake, website traffic and attendance at community forums.

Together, Principals and Boards can develop processes to gather data on community satisfaction levels and the effectiveness of communication.

Boards can also increase their profile and promote the school by publicly supporting staff and the actions teachers and administrators are taking to improve learning. Having a detailed knowledge of school goals and their relationship to curriculum, instruction, assessment and staff development helps enhance a culture of support. Research shows that effective Boards are able to identify not only the purpose and processes behind school improvement initiatives, but also the Board's role in supporting these efforts.<sup>6</sup>

If Boards are able to understand and communicate the actions taken by staff members to improve learning, support for these actions is more pervasive.

## 2.7 Religious education

### What does the legislation say?

Councils/ Board provide advice on:

- A general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education. (SEA s70).
- Allowing time for special religious education (up to 40 hours per school year). (SEA s69(2)).

The teaching of Religious Education in public schools is governed by the School Education Act 1999 (the Act) Sections 66-71, which states that the curriculum and teaching in public schools is not to promote any particular form of religious education.

General Religious Education (as distinct from Special Religious Education) is the form of religious education that may be conducted by employees of the Department as part of a school's curriculum. It covers education about the major forms of religious thought and expression of Australian society and other societies of the world. The Principal consults the School Board on activities used within general religious education.

That advice should be reflective of the school and community values, not the individual opinions of Board Members – often a difficult line to maintain.

In contrast, Special Religious Education (SRE) may be provided in schools by authorised volunteers from churches and other religious groups and is based on distinctive tenets and beliefs.

SRE is an optional subject, additional to the general curriculum. The Principal must consult the Board on whether SRE is to be provided.

### What is in the DPA?

The DPA is silent on religious education. Boards can have recourse to the Religious Education Policy 2008, although this does not greatly expand upon the SEA.

### What should the Board be asking?

Religious Education can often be an emotive issue.

When providing advice to the Principal on either general religious instruction, or the introduction/continuation of SRE, the Board must be mindful that it is representing the views of the community, and not those of individual members.

Boards can begin by asking:

- What are the known religions practiced by families at the school? What is the data that we have to support this?
- How can we consult the community about this issue, ensuring that minority opinion is respected?
- If SRE is being considered, what religion/s should be offered? Have we received different requests from religions within the community?
- What alternative arrangements are there for students not participating in activities?

### What information will assist the Board?

Principals can provide the Board with SIS data about the number of different religious faiths at the school, and the cultural background of students and families.

Boards should also seek information on the impact that introducing/continuing SRE will have on classroom instruction. Will timetables be affected? What will non-participating students do? It is important the Board considers operational impacts given that, if SRE is offered, the school must provide appropriate learning programs and maintain duty of care for all students, including those students not undertaking SRE.

## 2.8 Charges and contributions, extra cost optional components and personal use items

### What does the legislation say?

Councils/Boards approve:

- A (voluntary) charge or contribution determined by the principal for the provision of certain materials, services and facilities. (SEA s99(4)).
- The costs determined by the principal to be paid for participation in an extra cost optional component of the school's education program. (SEA s100(3)).
- Items determined by the principal to be supplied by a student for the student's personal use in the school's educational program. (SEA s108 (1)(2)).

In all cases, the Principal determines the voluntary charge, extra cost component and personal items required. However, the Principal's determinations require the approval of the Board before they can be implemented.

### What is in the DPA?

The DPA doesn't address contributions, charges or personal items. However, estimates of the level of the total payments that will be received from parents form an important element in school's annual financial plans. (See above).

### What should the Board ask?

Questions outlined in 2.2 Financial Planning are relevant. Additionally, the Board can ask:

#### *For Contributions and Charges*

- What is the maximum contribution? Does this comply with the Department's Contribution, Charges and Fees Manual (April 2014)?
- How is the contribution calculated?
- What is the collection rate in previous years?

- Is the amount proposed appropriate in our school context?
- What will this money be used for?
- Does the school have a procedure for collecting contributions and charges?

#### For Extra Cost Optional Components

- Which courses or programs have extra cost components?
- Are those costs reasonable within our school context?
- Can the learning outcome be provided in a way which does not incur costs? That is, are the costs necessary?
- What happens in the event that costs are not paid?
- What does historical data show about cost payment?

#### For Personal Use Items

- Are these items necessary? Is it realistic that parents will provide them?
- Is the cost of the items reasonable within the context of our school?

#### What information will assist the Board?

Financial support provided by parents often enables the provision of resources that extend the school's capacity and add value to its learning program.

The Principal and Board must, within the ambit of the legislation and the Contributions and Charges Manual, balance the needs of the school for financial assistance with the capacity of parents within its community to provide it.

Principals should provide Boards with information to support the contributions sought along with evidence to show the historical collection rate.

Again, Boards should never be provided with information on the payment history of individual parents.

Board input on a procedure to deal with non collection may be sought, but this must be compliant with the Department's requirements, and the responsibility for implementing collection procedure lies with the school as an operational issue.

## 2.9 Advertising or sponsorship

#### What does the legislation say?

The SEA allows sponsorship to a school on the approval of the School Board, if certain conditions have been met.

The Board approves any agreements or arrangement for advertising or sponsorship in relation to the school (SEA s. 216 (5)).

The *Incoming Sponsorship to Schools Policy* (2014) requires that sponsorship further the interest of the students and the educational programs of the school, and enhance the standing of the school and its relationship with the community.

As with marketing and communication decisions, sponsorship agreements can build - or quickly diminish - the image and reputation of the school. The standing and ethos of the sponsor should align closely with that of the school.

#### What is in the DPA?

Sponsorship approvals are not mentioned in the DPA.

However, the *Incoming Sponsorship to Schools Policy* (2014) details risk assessment procedures to follow prior to entering a sponsorship agreement.

#### What should the Board ask?

- Is the Sponsorship for a proper purpose?
- Does the Sponsor's ethos accord with that of the school?
- What are the consequences of entering into sponsorship?
- Will the sponsorship generate pressure on students or families to purchase particular goods or services, subscribe to particular beliefs or pursue a particular course of action?
- What are the expectations of both parties?
- How will these be monitored and controlled?
- Do the benefits arising from the Sponsorship outweigh the obligations and resources required to comply with the Sponsorship Agreement?

#### What information will assist the Board?

All Board Members should provide the Board with information regarding any possible conflicts of interest with the Sponsor. The risk assessment in compliance with the *Document for Incoming Sponsorship to a Public School* should also be completed.

## 2.10 Selection of Principal

#### What does the legislation say?

The School Education Act allows Councils/Boards to take part in the selection of the Principal, or any other member of the teaching staff, where permission from the *Deputy Director General, Schools*, has been obtained.

The Board can take part in the selection of, but not the appointment of the school principal or any other member of the teaching staff. (SEA s129 (2)(6)).

#### What is in the DPA?

The Board participates in the process for selecting the Principal. DPA Cl 17(c)(vi).

In the selection of the Principal, the *Deputy Director General, Schools'* permission to participate has been granted to all IPS Boards. The DPA articulates the Board's right to take part in the selection process; but this is not carte blanche for the Board to appoint a Principal as it sees fit.

The Department, through an appropriate delegate, will make the appointment and run the selection process in accordance with Public Sector Standards and merit selection criteria. The Board's participation in the selection process will usually involve the Board Chair as part of the interview panel.

Where teaching staff other than the Principal is concerned, Boards, like Councils, still need the prior approval of the *Deputy Director General, Schools* to take part in the selection process. (SEA 129 2).

## 3. Board functions: what doesn't the Board do?

In addition to outlining the Board's functions, the SEA articulates the operational and management areas into which the Board cannot stray.

School Councils/Boards do not:

- (a) intervene in the educational instruction of students
- (b) exercise authority over teaching staff or other persons employed at the school
- (c) intervene in the management of the school unless the intervention is by way of performing a function prescribed for incorporated Councils or Boards
- (d) intervene in the management of a school fund.

The transition from Council to Board provides a fresh opportunity for Principals to ensure that members understand the ambit of their authority and stay focused on school strategy – thereby improving the effectiveness of the Board.

Principals and Chairs should work in partnership, making certain that Board discussions doesn't disregard the agenda process and wander into issues that involve:

- Management of the day to day running of the school (for example, staff management, student assignment to classes).
- Discussion of individual issues relating to teachers, staff or parents.
- Representation of specific interest groups, or domination of the agenda by special interests.
- Intervention in the education instruction of students.

Councils/Boards must also not:

- Borrow money or obtain funds.
- Purchase property.
- Performance manage the Principal or any other Department of Education employee.

Boards may find it helpful to introduce a regular Board review: assessing whether meetings are effective, if discussions have stayed on track and if progression is being made against the Board's Business Plan.

Consistent self-assessment practices, and the expanded accountability of the DPA, will increase the functionality of the Board and ultimately, ensure a clear line between school management and school strategy.

## So what has changed?

So what has changed? The answer, from a legislative perspective, is nothing. The Board retains the same authority as a Council, but under the DPA, the Principal's accountability to the Board, and the Board's accountability to the school has increased.

However, just as in 2001, when School Councils were first introduced to public schools, IPS provides an invaluable opportunity for Principals to increase engagement with their parents and community, and invigorate their schools.<sup>7</sup>

And, if your community is "champing at the bit" to participate, it's essential not to let them down. Building trusted relationships is fundamental to IPS and the attitude and approach Principals take to involvement, especially during the transition phase, will impact significantly upon the school's success. Matching Board capacity with functions and balancing expectations with authority is a difficult job, but it is important to get it right from the start.

The Evaluation of Independent Public Schools found that there were several critical factors to the ongoing success of IPS. Importantly, these include the mindset of the Principal and his/her ability to build relationships with communities.

Whole school cultural change is also observable in the IPS initiative. Schools in IPS have been more engaged in strategic thinking and where school communities as a whole believed in the vision of IPS that was championed by the principals, this strategic thinking was more evident.

*Evaluation of The Independent Public Schools Initiative.*

## 4. Where to begin? Start with the end in mind.

So, if increased engagement in strategic thinking is the goal, where do schools start?

It's actually helpful to begin with the end in mind. As your transition to a Board begins, start thinking about what you will need to establish in three years time.

In the final year of your Delivery and Performance Agreement, The Department of Education Services will conduct a review of the school's performance. The review is based on the understanding that, by signing the DPA, each Independent Public School *is aiming to improve the quality of student learning through community empowerment, greater autonomy and flexibility and increased accountability.*

The review will focus on what the school has achieved by creating an environment to improve student learning and through enacting its shared vision with its local community.

Before DES visits a school, the Principal and Board must self-review, answering the following questions:

- What did we achieve and how will we sustain it?
- What can we improve and how will we achieve that?

Don't leave these questions until the final year of your DPA. Use them as fundamental inquiries to continually guide the work of your Board.

Doing so will help you build an effective, publicly accountable School Board that actively participates in planning, reviewing and monitoring school improvement – leaving the business of managing the School to the Principal.

### References:

1. *The Centre for Program Evaluation, University of Melbourne (2013) Evaluation of the Independent Public Schools Initiative Final Report: Commissioned by The Department of Education, Western Australia.*
2. *Centre for Public Education: Eight Characteristics of Effective School Boards: Full Report. [www.centerforpubliceducation.org](http://www.centerforpubliceducation.org)*
3. *In 2010, WASSO produced a comprehensive guide The Effective School Council which provided an excellent source of questions to assist school governance. The guide is no longer available.*
4. *The School Improvement and Accountability Framework, Department of Education.*
5. *School Council Policy (2004): guidelines*
6. *Centre for Public Education: Eight Characteristics of Effective School Boards: Full report [www.centerforpubliceducation.org](http://www.centerforpubliceducation.org)*

7. *This community (as opposed to parental) participation has been increasingly relevant in the IPS transition. Unlike Councils, where community representation is encouraged but not mandated, Boards must have a community/industry member. (DPA CI 17)*
8. *Further information on the Terms of Reference for Unincorporated Councils is available in an information package. The package also includes advice on the roles and responsibilities of a School Council or Board, membership, and procedures for conducting elections and meetings.*