Guide to the
*Australian Education Act 2013*

Note: The online version of the Guide is updated regularly to clarify or reflect changes in legislative interpretation and/or policy application.

This pdf version of the Guide was created on 16 June 2015 and may be out of date.

Please refer to the Guide website for the current version.


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The document must be attributed as the Guide to the Australian Education Act 2013.
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A. Introduction

Part A of this Guide comprises:
- advice on ‘How to use the Guide’
- an introduction to the Act, Regulation and related agreements
- summaries of the requirements for each type of authority or body:
  - approved authorities
  - approved system authorities
  - block grant authorities
  - non-government representative bodies.

Embedded in these summaries are links to explanations, and to advice on how to fulfil the requirements, for each type of authority or body. These explanations indicate the sections of the Act and Regulation that give rise to the requirements.

A.1 How to use this Guide

This Guide sets out of the Department of Education and Training’s interpretation of the Australian Education Act 2013 (the Act) and the Australian Education Regulation 2013 (the Regulation).

The Act and Regulation were amended in 2014 on 26 November and 11 December respectively. A number of these amendments have an impact on approved authorities, block grant authorities and non-government representative bodies. The Post-amendment fact sheet lists changes arising from these amendments.

This Guide includes references, where appropriate, to the Australian Education (Consequential and Transitional Provisions) Act 2013. It also includes references to the Explanatory Memorandums for the two Acts and the Explanatory Statement for the Regulation.

This Guide is not legally binding and does not constitute legal advice. It sets out the department’s expectations for compliance with the Act and Regulation.

This Guide is designed to be an interactive web resource.

This Guide has been written, primarily, for the approved authorities of schools. It also covers the funding and requirements for approved system authorities, block grant authorities and for non-government representative bodies.

This Guide replaces the Administrative Guidelines for the Schools Assistance Act 2008 – Commonwealth Programs for Non-government Schools 2009 to 2013/14. The Administrative Guidelines should be referred to for any remaining requirements under the Schools Assistance Act 2008, such as:
- completion of the Financial Questionnaire for 2013 (or earlier programme years)
- acquittal of funding provided under the Schools Assistance Act 2008 for 2013 (or earlier programme years)
• completion of the Compliance Certification for 2013 (or earlier programme years)
• participation in the Census Post Enumeration Exercise for 2013 (or earlier programme years).

References to ‘the Act’ are to the Australian Education Act 2013. References to ‘the Regulation’ are to the Australian Education Regulation 2013. Other Acts or Regulations are given their full name. References to the ‘Minister’ are to the Australian Government Minister for Education and Training.

To minimise confusion between references to sections of the Act and to sections of the Regulation, the Guide refers to sections of the Regulation as ‘regulation 26,’ for example, rather than ‘section 26 of the Regulation.’

Appendix F.4 contains a Concordance between the Act and Regulation. The Concordance indicates which section of the Regulation is linked to which section of the Act.

Clicking on terms highlighted in blue bold, such as ‘school’, will take you to the definition in Appendix F.2 Glossary. Terms underlined and in blue, such as ‘not-for-profit’, are linked to the section of the Guide that discusses them. Text referring to tables, such as ‘Capacity to contribute percentage’, is also underlined and in blue, indicating a link to the relevant form or table.

Acronyms are spelt out in their first reference and are also listed in Appendix F.1 Acronyms in the Appendices.

The Guide comprises five narrative sections and a final appendices section.

Part A comprises this ‘How to use the Guide’ section, an Introduction, and a section summarising the requirements for each type of authority or body.

Part A.2 Introduction to the Act summarises the operation of the Act in providing a national approach to school funding.

Part A.3 contains summaries of the key requirements for:
• approved authorities
• approved system authorities
• block grant authorities
• non-government representative bodies.

Embedded in these summaries are links to explanations, and to advice on how to fulfil the requirements, for each type of authority or body. These explanations indicate the sections of the Act and Regulation that give rise to the requirements.

Part B comprises seven sections, starting with an overview of Payments to states and territories. The remaining sections cover Recurrent funding, Capital funding, Other funding for schools, Funding for non-government representative bodies, Use of funding and Financial accountability.

Part C explains Approval processes and Basic requirements for authorities and bodies.
Part D is for approved authorities only. It explains their Ongoing policy requirements, including requirements to provide Information, and the processes involved for School improvement plans and Implementation plans.

Part E is a Miscellaneous section that covers Failure to comply with the Act and Reviewable decisions, and other miscellaneous issues dealt with in the final part of the Act.

Part F comprises the Appendices, including a list of Acronyms, a Glossary, and a Concordance showing the links between sections of the Act and the Regulation.

Part F also includes an Annual timeline and key dates which may be printed for reference.
A.2 Introduction to the Act

The *Australian Education Act 2013* is the principal legislation for the provision of Australian Government funding to schools in Australia.

The Act commenced on 1 January 2014.

It sets out the rights and responsibilities of organisations in order for them to receive Australian Government funding for the purposes of school education. These organisations include approved authorities for schools, block grant authorities and non-government representative bodies.

The *Australian Education Regulation 2013* (the Regulation), which commenced on 1 January 2014, provides more detail to support the operation of the Act.

The Act and Regulation were amended in 2014 on 26 November and 11 December respectively. A number of these amendments have an impact on approved authorities, block grant authorities and non-government representative bodies. The Post-amendment fact sheet lists changes arising from these amendments.

The Act and Regulation are administered by the Minister for Education and Training, through the Australian Government Department of Education and Training (the department). To allow for smooth administration of the Act, the Minister has delegated certain powers under the Act to departmental officers. These include the power to demine the amount and timing of recurrent financial assistance for an approved authority.

E.4 Delegation lists the public interest powers that the Minister may not delegate to officers of the department.

*Note: The Act and the Regulation may be amended from time to time.*
A.2.1 Interaction of Act, Regulation and agreements
The new schools arrangements are underpinned by the Australian Education Act 2013 and by a suite of interrelated agreements as outlined below.

A.2.1.1 Australian Education Act 2013
The Australian Education Act 2013 is the principal legislation for the provision of Australian Government funding to government and non-government schools. The Act commenced on 1 January 2014.

The Act sets out the funding arrangements, including recurrent funding for government and non-government schools, capital funding for non-government schools, and special circumstances funding. The Act also sets out the requirements for approved authorities for schools to ensure funding accountability to the Australian Government and to school communities.

The Act provides the Minister with authority to provide funding to non-government school representative bodies. These bodies may include associations of independent schools and Catholic education commissions.
The Act does not dictate who can provide school education. Whether an entity can provide school education is set out in state and territory legislation. The Act only provides for the Commonwealth funding of school education, and attaches conditions relating to that funding.

The *Australian Education Amendment Act 2014*, which received Royal Assent on 26 November 2014, made several changes to the *Australian Education Act 2013*.

The *Australian Education Regulation 2013* was similarly amended on 11 December 2014.

The [Post-amendment fact sheet](http://aeaguide.education.gov.au/) lists changes arising from these amendments.

### A.2.1.2 Australian Education Regulation 2013

The *Australian Education Regulation 2013* provides more detail to support the operation of the *Australian Education Act 2013*.

It commenced on 1 January 2014 and was amended on 11 December 2014 following an amendment to the Act. The [Post-amendment fact sheet](http://aeaguide.education.gov.au/) lists changes arising from these amendments.

The Regulation outlines the financial accountability and other conditions that are required of approved authorities.

The Regulation prescribes a range of matters concerning:

- the interpretation of provisions in the Act
- conditions of grants of financial assistance to state and territory governments under the Act
- matters relevant to Commonwealth grants of recurrent funding for participating schools and non-participating states and territories
- matters relevant to Commonwealth grants of capital funding, special circumstances funding and funding for non-government representative bodies
- conditions of approval for approved authorities, approved system authorities and bodies
- ongoing policy requirements for block grant authorities and non-government representative bodies
- matters relevant to actions Ministers may take for failure to comply with the Act or the Regulation, and to require amounts to be repaid
- miscellaneous matters.

The majority of requirements set out in the Act and Regulation continue and/or build on previous legislative and regulatory requirements (under the *Schools Assistance Act 2008*, the National Education Agreement, the *Schools Assistance Regulations 2009*, administrative guidelines and funding agreements).

All regulatory requirements are considered standard administrative processes that are fully funded by approved authorities. Approved system authorities are permitted to retain a portion of Australian Government funding for administrative purposes.
A.3 Authorities and bodies – summaries of requirements

The summaries below indicate the key requirements for:

- **approved authorities** (for one or more schools)
- **approved system authorities**
- **block grant authorities**
- **non-government representative bodies**.

Embedded in these summaries are links to the parts of the Guide which give explanations and advice on how to fulfil the requirements for each type of authority or body. These explanations indicate the sections of the Act and Regulation that give rise to the requirements.

In the web version of the Guide, terms in blue and underlined link to the relevant section in the Guide or to another website. Terms in green with a dotted underline link to an explanation of the term in the Appendix F.2 Glossary.

**A.3.1 Approved authorities**

An approved authority is a legal entity that the Australian Government has approved to administer funding for one or more schools. The government expects that the approved authority will have management and operational authority over the schools and their administration. An approved authority has certain legal responsibilities for the funding of, and the delivery of education to, its schools.

The approved authority for a government school is its relevant state or territory government. The approved authority for a non-government school is the body corporate approved by the Minister for that school.

An approved authority can:

- represent one school
- represent more than one school
- be an approved system authority.

The rules are slightly different for each type of authority.

Sections 72 to 81 of the Act set out the approval process for approved authorities, including the basic and ongoing policy requirements for approved authorities.

Specific requirements for approved authorities are discussed in Parts B to E of the Guide. These requirements are summarised below.

**Transitioning of approved authorities**

A body that was an approved authority for an approved non-government school system under the Schools Assistance Act 2008 on 31 December 2013 is taken to be the approved authority for all schools that were members of that system. (Item 2, Schedule 2 – Australian Education (Consequential and Transitional Provisions) Act 2013)
A body that was an approved authority for a non-government school under the *Schools Assistance Act 2008* on 31 December 2013 is taken to be the approved authority for that school. *(Item 2, Schedule 2 – Australian Education (Consequential and Transitional Provisions) Act 2013)*

A state or territory is taken to be the approved authority for all government schools located in that state or territory on 31 December 2013. *(Item 5, Schedule 2 – Australian Education (Consequential and Transitional Provisions) Act 2013)*

In all cases, the approved authority is approved for the locations and levels of education for which it was approved on 31 December 2013.

An approved authority that was taken to be approved under the *Australian Education (Consequential and Transitional Provisions) Act 2013* must comply, and continue to comply, with the requirements and conditions for approval for approved authorities under the Act.

**A.3.1.1 Basic requirements**

*Note: Approved authorities for government schools are taken to meet these basic requirements.*

The basic requirements for approved authorities are summarised below.

An approved authority must:

- be a *body politic* (for government schools) or a *body corporate* (for non-government schools) *(Section 75(2) of the Act)*
- not be conducting any of its schools *for profit* *(Section 75(3) of the Act and regulation 26)*
- be *financially viable* *(Section 75(4) of the Act and regulation 27)*
- meet the ‘fit-and-proper person’ requirement *(Section 75(5) of the Act and regulation 28)*
- have the appropriate state or territory *registration* to provide education for the approved education level at the approved location. *(Section 75(7) of the Act)*

Further details on the basic requirements for approved authorities and their approval processes are set out in *Part C.2 Approval processes* and basic requirements.

**A.3.1.2 Ongoing policy requirements**

Below is a summary of the ongoing policy requirements for approved authorities arising from section 77 of the Act. These requirements are explained in more detail in *Part D.1 Ongoing policy requirements*.

An approved authority must implement the following policy requirements listed below:

a) *enhancing principal and teacher performance and professional development* through:

   i) implementation of the *Australian Teacher Performance and Development Framework* *(Section 77(2)(a) and regulation 41(a))*

   ii) providing access to ongoing professional development consistent with the *Australian Charter for the Professional Learning of Teachers and School Leaders* *(Section 77(2)(a) and regulation 41(b))*
b) implementing the Australian Curriculum or a curriculum with comparable outcomes recognised by Australian Curriculum, Assessment and Reporting Authority (ACARA) (Section 77(2)(b) and regulation 42)

c) ensuring its schools participate in the National Assessment Program and provide data collected from those assessments (Section 77(2)(c) and regulation 43)

d) ensuring that:
   i) the authority has a school improvement framework
   ii) each of its schools develops, implements, publishes and reviews a school improvement plan (Section 77(2)(d) and regulation 44)

e) ensuring that it complies, and that each of its schools complies, with the relevant disability discrimination laws of the Commonwealth and state or territory (Section 77(2)(e))

f) providing information required by the Regulation. (Section 77(2)(f))

A.3.1.3 Information

Information requirements for approved authorities are explained in D.2 Information requirements.

In summary, approved authorities are required by the Act to provide information relating to:

a) a school’s census (Section 77(3)(a) of the Act and regulations 46-51)

b) a national programme to collect data on schools and school education (Section 77(3)(b) of the Act and regulations 52-58)

c) any implementation plan of the authority or school improvement plan of the school (Section 77(3)(d) of the Act and regulation 44)

d) reports to parents or carers responsible for students at a school (Section 77(3)(f) of the Act and regulation 59)

e) a school, that is provided to the public. (Section 77(3)(g) of the Act and regulation 60)

A.3.1.4 Ongoing funding requirements

The ongoing funding requirements under section 78 of the Act are summarised below. The requirements are discussed in more detail in Part B.6 Use of funding.

All approved authorities are required to:

a) spend or commit to spend, for the purpose of providing school education, any payable recurrent funding for:
   i) participating schools (Sections 31-63 of the Act and regulation 29)
   ii) non-participating schools (Section 64-65 of the Act and regulation 29)

b) spend or commit to spend any payable funding for special circumstances funding or prescribed circumstances funding (Sections 69 and 69A of the Act and regulation 29(4))

c) meet requirements for monitoring the authority’s compliance with the financial accountability provisions of the Act (Regulations 32-40) and with any implementation plan. (Sections 97-106 of the Act)
A.3.1.5 Financial reporting requirements
To ensure transparent and accountable use of Commonwealth funding, approved authorities must meet financial reporting requirements. They must provide a Financial Accountability Certificate and a report relating to financial assistance. (Regulations 32-38)

An approved authority for a non-government school must prepare audited financial statements relating to any financial assistance in a year paid to the authority under the Act. (Regulation 38)

An approved authority must keep certain records for seven years. (Regulation 37)

An approved authority must give access to these records to a person authorised by the Minister. (Regulations 33 and 39)

Financial reporting requirements are discussed in detail in B.7 Financial accountability.

A.3.1.6 Implementation plans
Each approved authority for more than one participating school must have an implementation plan. (Section 99(1) of the Act)

The requirements for implementation plans are explained in D.3 Plans and planning processes.
A.3.2 Approved system authorities

An approved system authority is the approved authority for more than one school that has entered into an approved system arrangement. This arrangement is a specific arrangement that the Minister, on behalf of the Commonwealth, makes with that approved authority. (Regulation 5)

Once an approved authority has entered into an approved system arrangement, it becomes an approved system authority.

A list of approved system authorities is at Appendix F.12: List of approved system authorities.

On the whole, an approved system authority has the same responsibilities as an approved authority. However, the system arrangement allows an approved system authority to allocate recurrent funding to individual schools using an agreed alternative needs-based funding model, the principles for which are set out in regulation 61. These principles are discussed in B.6.2.1 Approved system authorities.

Approved system authorities have the option of having a student-weighted system average socioeconomic status (SES) score – average SES score – applied to all their member schools for the purpose of determining their capacity to contribute percentage.

An average SES score is usually calculated at the same time as individual SES scores, prior to the beginning of a new funding period. Unlike an individual SES score, an average SES score is determined by legislative instrument under section 52(2) and is not a reviewable decision for the purposes of section 120.

As part of their financial accountability requirements, approved authorities for more than one school, including approved system authorities, are also required to provide a breakdown of school allocations and administration costs against the schooling resource standard (SRS) and relevant loadings. (Regulations 35 and 36)

Unless otherwise stated, the requirements for approved system authorities are the same as those for approved authorities.

Information about schools leaving and joining approved system authorities is at C.1.1.5 Application process – basic requirements and responsibilities.
A.3.3 Block grant authorities

The Capital Grants Programme provides funding for non-government school communities to assist non-government primary and secondary schools to improve capital infrastructure where they otherwise may not have access to sufficient capital resources.

Grants to non-government schools under the Capital Grants Programme are administered by block grant authorities. These authorities assess applications from non-government schools and make recommendations for funding to the Minister.

There are two block grant authorities in each state: one for Catholic schools and one for independent schools. In the Northern Territory and in the Australian Capital Territory, there are joint block grant authorities for Catholic and independent schools.

Non-government schools wishing to apply for Commonwealth capital grants must join the relevant block grant authority for their state or territory.

Sections 82 to 88 of the Act set out the approval process for block grant authorities.

Sections 28(b) and 28(c) of the Act allow the Minister to determine the timing and amounts of payments to states and territories for capital funding to block grant authorities.

Section 67(2) of the Act allows the Minister to determine the amount of financial assistance to block grant authorities. Section 68 of the Act places a limit on the total amount of capital funding available in any one calendar year.

Section 85 of the Act explains ongoing funding requirements of block grant authorities. Regulations 32 to 40 explain their financial reporting and related requirements.

The Capital Grants Programme Operating Manual sets out the requirements and procedures for block grant authorities and the Capital Grants Programme.
A.3.4 Non-government representative bodies

A non-government representative body for a non-government school represents the interests of the approved authority for the school. A non-government representative body is the body to which funding under section 70 of the Act is ultimately paid.

Sections 89 to 96 of the Act set out the approval process for non-government representative bodies.

The general requirements for non-government representative bodies are summarised in C.1.3 Non-government representative bodies and C.2 Basic requirements for authorities and bodies.

Specific requirements for non-government representative bodies are explained in the Guide in B.5 Funding for non-government representative bodies.
B. Funding

Part B of this Guide comprises explanations and information about:

- **Payments** to and through states and territories
- **Recurrent funding**, including:
  - The **funding formula for participating schools**
  - **Working out loadings**
  - **Capacity to contribute**
  - **Transitional recurrent funding** for participating schools
- **Capital funding**
- **Other funding for schools**
- **Funding for non-government representative bodies**
- **Use of funding**
- **Financial accountability**.

B.1 Payments to and through states and territories

The Commonwealth pays all financial assistance under the Act to the state or territory in which a school is located. If the financial assistance is paid in relation to a non-government school, the state or territory must pass this funding on to the relevant approved authority, block grant authority, or non-government representative body for that school. *(Part 2 of the Act)*

The state or territory is required to pass on the full amount of funding paid under the Act to the relevant approved authority, block grant authority or non-government representative body for a non-government school as soon as practicable after the amount is paid to the state or territory. *(Section 23 of the Act.)*

**Appendix F.3: Annual timelines for payments and reporting** gives further details on the annual timelines for payments to approved authorities.

Sections 22 to 24 of the Act and regulations 10 and 11 set out the conditions of financial assistance to state and territory governments, whether or not they have a bilateral agreement with the Commonwealth.

The national policy initiatives that must be implemented reflect the objectives and targets agreed by the Australian Government and state and territory governments.

Regulation 11 requires that states or territories establish processes to **recover amounts** that are recoverable under the Act or to assign the rights to recover the debt to the Commonwealth.

Regular payments to state and territory treasuries may allow for overpayments to be corrected by the end of the financial year, through payment adjustments.

In practice, this means that where an overpayment is made and cannot be recovered by offsetting future funding (for example, because a school of an approved authority is no longer operating),
then it is the responsibility of the state or territory government to recover that funding from the approved authority for that school. The state or territory may assign the right for the Commonwealth to directly recover funding from the approved authority on its behalf.

B.2 Recurrent funding

Financial assistance for participating schools is payable by the Commonwealth, based on a formula which produces the Commonwealth share of a total amount of funding. All non-government schools are participating schools. Government schools of participating states and territories are also participating schools. In 2014, the participating states and territories are New South Wales, South Australia, and the Australian Capital Territory.

Financial assistance for non-participating schools will be paid by the Commonwealth under sections 64 and 65 of the Act. The financial assistance is provided through a national specific purpose payment for government schools located in the non-participating states and territories. In 2014, the non-participating states and territories are Victoria, Queensland, Western Australia, Tasmania and the Northern Territory.

B.2.1 For participating schools

Financial assistance for participating schools is payable by the Commonwealth each year based on a funding formula which produces the Commonwealth share of total funding.

All participating schools are entitled to a base amount of funding for every student. Students and schools that need extra support will also attract additional loadings.

Factored into this base amount is the capacity of the school’s community to contribute financially to the school.

Not all participating schools will immediately attract the amount worked out using the funding formula. A number of transitional funding arrangements are in place for participating schools.
B.2.1.1 Funding formula for participating schools

**Legislative background:** The funding formula for participating schools is set out in Sections 32 to 35 of the Act. Section 32 sets out the calculations for the amount payable for a participating school. Section 33 gives the formula for the base amount. Section 34 sets out the schooling resource standard (SRS) funding amounts. Section 35 sets out the calculation for the school’s total loading. Section 56 of the Act sets out how the amounts will be rounded. Regulation 15 sets out the Commonwealth share.

Funding for a school in a participating state or territory will comprise a base amount plus a total loading. *(Section 32 of the Act.)*

The Commonwealth will pay a proportion of this funding for the school. *(Regulation 15)*

The formula for this funding is as follows:

\[
\text{The school’s base amount for the year} + \text{The school’s total loading for the year} \times \text{The Commonwealth share for the school}
\]

This amount is rounded up or down to the nearest dollar, with an amount of 50 cents rounded up. *(Section 56 of the Act)*

**Note:** A detailed explanation of the Commonwealth share is given in the *Explanatory Statement* for Regulation 15 – Commonwealth share.

In 2014, the following schooling resource standard funding amounts, along with the Commonwealth share and capacity to contribute, will be used to calculate the base amount for schools:

<table>
<thead>
<tr>
<th>Primary (distance education student)</th>
<th>Secondary (distance education student)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$9,271.00</td>
<td>$12,193.00</td>
</tr>
<tr>
<td>$3,244.85</td>
<td>$4,267.55</td>
</tr>
</tbody>
</table>

These amounts will be indexed each year by 3.6%. *(Sections 33 and 34 of the Act)*

For the purpose of working out loadings, the formula for calculating the schooling resource standard (SRS) funding amount for a student at a combined school is:

\[
\left(\frac{\text{The number of primary students at the school for the year}}{\text{The number of students at the school for the year}} \times \frac{\text{SRS funding amount for the year for a primary student}}{\text{SRS funding amount for the year for a secondary student}}\right) + \left(\frac{\text{The number of secondary students at the school for the year}}{\text{The number of students at the school for the year}} \times \text{SRS funding amount for the year for a secondary student}\right)
\]

*(Section 34(4) of the Act)*
The base amount for a school for a year reflects:

a) the number of students at the school for the year as reported in the school’s census
b) the schooling resource standard funding (SRS) amount for the year for a student at the school
c) the capacity of the school’s community to contribute financially to the school.

The formula for the base amount for a year for a primary or secondary school is as follows:

\[
\text{The number of students at the school for the year} \times \text{The SRS funding amount for the year for a student at the school} \times \left(1 - \frac{\text{The school's capacity to contribute percentage}}{100}\right)
\]

The school’s total loading for a year comprises the total of its loadings for:

a) students with disability
b) Aboriginal and Torres Strait Islander students
c) students with a low socioeconomic status
d) students who have low English proficiency
e) schools that are not in major cities (location)
f) schools that are not large schools (size).
B.2.1.2 Working out loadings

Legislative background: The formulas for the loadings are set out in the sections 36 to 51 of the Act. Section 56 of the Act sets out how the amounts will be rounded. Definitions of census day and part-time students are given in sections 7 and 17 of the Act, respectively. They are also included in Appendix F.2 Glossary. Section 16 of the Act states that the number of students in a school for the year refers to those students receiving primary or secondary education at the school on the school’s census day for the year.

Regulations 7 to 9 explain the levels of education, and regulation 16 gives a definition of students with disability and Aboriginal and Torres Strait Islanders students. These definitions are also in Appendix F.2 Glossary.

Under the schooling resource standard (SRS) funding model there is funding in the form of loadings for students who need more support, comprising:

- students with disability
- Aboriginal and Torres Strait Islander students
- students with a low socioeconomic status (SES)
- students who have low English proficiency.

There are also loadings for:

- schools that are not in major cities (location)
- schools that are not large schools (size).

Loadings are not affected by the capacity to contribute percentage.

Each loading amount for a school is rounded up or down to the nearest whole dollar with an amount of 50 cents being rounded up. (Section 56 of the Act.)
B.2.1.2.1 Student with disability loading

Legislative background: Section 36 of the Act gives the formula for a school’s loading for students with disability. The definition for such students is set out in regulation 16(2). The disability loading percentage is set out in regulation 17.

The student with disability loading is paid in respect of each student with a disability. *(Section 36(1) of the Act and regulation 16(2))*

There is a different disability loading percentage for students with a disability attending a special school and students with a disability attending any other school:

a) 223% of the respective schooling resource standard (SRS) per student funding amounts applies for students attending a special school

b) 186% of the respective schooling resource standard (SRS) per student funding amounts applies for students attending any other school. *(Regulation 17)*

The formula for calculating the loading for students with disability is set out in Appendix F.5.1, which also contains worked examples. Additional information and examples are provided in: *Calculation of the student with disability loading in 2014.*

For independent schools, individual school-level data will continue to be required for the payment of the loading.

An annual *nationally consistent collection of data on school students with disability* is being phased in over 2013 to 2015 and will provide relevant data on the number and distribution within schools of students with disability and the level of adjustment being provided to them to participate in schooling on the same basis as other students. The data collected may, in future, be used to help calculate the student with disability loading, subject to consideration by education ministers. Further information on the collection of data is in the Guide in *D.2.2.4 Information on students who are persons with a disability.*
**B.2.1.2.2 Aboriginal and Torres Strait Islander loading**

**Legislative background:** Section 37 of the Act gives the formula for a school’s loading for Aboriginal and Torres Strait Islander students. The definition for such students is set out in regulation 16(1).

The Aboriginal and Torres Strait Islander loading is paid in respect of each Aboriginal and Torres Strait Islander student at a school. (*Regulation 16(1)*)

It provides extra funding on top of the base schooling resource standard funding amount for each Aboriginal and Torres Strait Islander student.

The amount of extra funding depends on the proportion of Aboriginal and Torres Strait Islander students in the school. At the lowest rate, the loading is 20% of the school’s per student schooling resource standard (SRS) funding amount. At the highest rate, it is 120% of the school’s per student schooling resource standard amount. The school will not receive this loading if it has no Aboriginal and Torres Strait Islander students.

The formulas for calculating the Aboriginal and Torres Strait Islander loading and the school’s Aboriginal and Torres Strait Islander (ATSI) percentage for a year are set out in Appendix F.5.2, which also contains worked examples.

These calculations involve two key concepts as set out in the following figure and table:

**Figure 1: Aboriginal and Torres Strait Islander (ATSI) loading percentage rate**

![Graph showing the loading percentage rate based on the proportion of students who are Aboriginal or Torres Strait Islander. The rate starts at 20% and applies from the first ATSI student. If 100% of students are ATSI, the maximum loading percentage rate of 120% applies.](image)
<table>
<thead>
<tr>
<th>Concept</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of students who are Aboriginal and Torres Strait Islander (ATSI) students</strong></td>
<td>The number of students at a school that is reported in the annual school census as being Aboriginal and Torres Strait Islander students. <em>(Section 37(3) of the Act)</em></td>
</tr>
<tr>
<td><strong>Aboriginal and Torres Strait Islander (ATSI) student percentage</strong></td>
<td>The percentage rate of the Aboriginal and Torres Strait Islander loading for a school based on the proportion of Aboriginal and Torres Strait Islander students in total enrolments. <em>(Section 37(2) of the Act)</em></td>
</tr>
</tbody>
</table>
B.2.1.2.3 Low SES student loading

Legislative background: Section 38 of the Act gives the formulas for the low socioeconomic status (SES) student loading. Regulation 18 defines low SES students for the purposes of the loading as those students in the two lowest quartiles for Socio-Educational Advantage (SEA): Quartile 1 and Quartile 2.

The low SES student loading aims to give schools with students from low socioeconomic backgrounds, and schools with higher concentrations of these students, the same opportunity to achieve nationally agreed educational outcomes as schools that would not attract the loading.

The measure used to identify students from low socio-economic backgrounds is the socio-educational advantage (SEA) component of the Index of Community Socio-Educational Advantage (ICSEA). This index has been developed by the Australian Curriculum, Assessment and Reporting Authority (ACARA).

ACARA has two fact sheets on its website with further information on ICSEA:
- About ICSEA
- Guide to understanding 2013 ICSEA values.

The measure of low socioeconomic status (SES) student concentration – for the purpose of calculating the low SES student loading – is the percentage of students in the lowest two quartiles of socio-educational advantage (SEA).

Socio-educational advantage values are derived from the Index of Community Socio-Educational Advantage (ICSEA). The socio-educational advantage scale measures the occupational and educational status of parents and guardians of school students. It includes occupation, completed school education and highest level of post-school education.

Socio-educational advantage quartiles show the distribution of students in a school across four socio-educational advantage quarters, representing a scale of relative educational disadvantage (‘bottom quarter’) through to relative advantage (‘top quarter’). SEA quartiles are based on data collected by schools through ACARA. (Regulation 18)

The low SES student loading (for a year) is based on:
- the number of students at a school who are in the lowest two SEA quartiles,
- the primary, secondary or combined schooling resource standard (SRS) per student funding amount
- a loading percentage rate that reflects the degree of concentration of these students in a school. That is, the percentage rate of the loading increases as the proportion of students in the lowest two SEA quartiles within a school increases.
A school does not attract any low SES student loading (for a year) if it has no students in either of the two lowest SEA quartiles.

The formulas for calculating the low SES student loading are set out in Appendix F.5.3, which also contains worked examples.

Calculating the low SES student loading for a school for a year involves a number of key concepts as set out in the following table and figure.
<table>
<thead>
<tr>
<th>Concept</th>
<th>Explanation</th>
</tr>
</thead>
</table>
| Quartile 1 amount             | The dollar amount of the low socioeconomic status (SES) student loading which a school attracts based on the proportion of students in the school who are in the lowest 25% of socio-educational advantage (SEA).  
  *(Section 38(2) of the Act)*                                                                                                  |
| Quartile 1 percentage         | The percentage rate of the low SES student loading for quartile 1 students based on their proportion of total school enrolments.  
  *(Section 38(3) of the Act)*                                                                                                   |
| Quartile 1 number of students | The number of students in a school who are in the lowest 25% of all students nationally ordered from the lowest SEA value to the highest SEA value.  
  *(Regulation 18(1)*                                                                                                              |
| Quartile 2 amount             | The dollar amount of the low SES student loading which a school attracts based on the proportion of students in the school who are in the second quartile of students on a scale of socio-educational advantage (SEA).  
  *(Section 38(5) of the Act)*                                                                                                   |
| Quartile 2 percentage         | The percentage rate of the low SES student loading for quartile 2 students based on their proportion of total school enrolments.  
  *(Section 38(6) of the Act)*                                                                                                   |
| Quartile 2 number of students | The number of students in a school who are in the second lowest quarter (from 25% to 50%) of all students nationally ordered from the lowest SEA value to the highest SEA value.  
  *(Regulation 18(2)*                                                                                                              |
| Socio-educational advantage (SEA) | A scale based on direct student-level factors of educational advantage including parental education and occupation. Socio-educational advantage is the basis on which the low SES student loading is calculated.  
  *(Note to Regulation 18)*                                                                                                    |
| Index of Community Socio-Educational Advantage (ICSEA) | The Index of Community Socio-Educational Advantage, developed by ACARA, provides a scale that numerically represents the relative magnitude of the influence of student and school-level factors on educational advantage or disadvantage at the school level.  
  *(Note to Regulation 18)*                                                                                                    |
B.2.1.2.3.1 Comparison between low SES student loading and capacity-to-contribute measure

The low SES student loading (based on SEA values) and the capacity to contribute element of the schooling resource standard funding model (based on a school’s SES score) are mechanisms designed to achieve different policy outcomes.

The capacity-to-contribute mechanism aims to measure the capacity of the school’s parent community to financially support its school and, therefore, includes a measure of parental income.

The low SES student loading aims to improve the educational outcomes of students from low socioeconomic backgrounds.
### B.2.1.2.4 Low English proficiency loading

**Legislative background:** Section 39 of the Act gives the formula for a school’s loading for low English proficiency students. Regulation 19 explains how such students are identified by the Australian Curriculum, Assessment and Reporting Authority (ACARA).

The calculation for the loading for students with low English proficiency involves two key concepts relating to language and to disadvantage.

A student is identified as having a disadvantaged language background other than English if:

- the student comes from a language background other than English, and
- at least one of the student’s parents completed school education only to Year 9 (or equivalent) or below.

This identification is made by the Australian Curriculum, Assessment and Reporting Authority (ACARA). To determine language background and school education, ACARA uses definitions in the Data Standards Manual: Student Background Characteristics. (Regulation 19)

The formula for calculating the loading for students with a low English proficiency is set out in Appendix F.5.4, which also contains worked examples. The loading comprises 10% of the school’s respective schooling resource standard (SRS) funding amount.
B.2.1.2.5 Location loading

Legislative background: Sections 40 and 41 of the Act give the formula for a school’s loading for location. Section 13 provides definitions of the kinds of school based on their location. Where a school has more than one location, section 18 allows the Minister to make determinations about its location for the purpose of working out its Accessibility/Remoteness Index of Australia (ARIA) index value. Section 55 stipulates that, under the Act, reference to the location of a school must be to a location specified in the approval for the approved authority for a school, and for the level of education specified in the approval. Regulation 14 defines the term ‘ARIA index value.’

The location loading is based on a school’s Accessibility/Remoteness Index of Australia (ARIA) score and applied as a percentage to both the schooling resource standard (SRS) per student funding amounts for a school and the school’s size loading.

ARIA is a measure of service accessibility and remoteness derived from road distances between populated localities and ‘service centres’. Localities with populations of greater than 1000 people are considered to contain at least some basic level of services, for example, health, education, or retail services. Given this access to basic services, these towns and localities are regarded as ‘service centres’ for the purposes of determining a location’s ARIA score.

Localities that are more remote have less access to service centres; those that are less remote have greater access to service centres. ARIA is a continuous varying index with values to two decimal places ranging from 0 (high accessibility) to 15 (high remoteness).

The formulas for calculating the location loading and the location percentage are set out in Appendix F.5.5, which also contains worked examples. The size loading must be calculated first, and then applied to the location loading formula.

Calculating the location loading for a school involves a number of key concepts as set out in the following table and illustrated in the figure below.

<table>
<thead>
<tr>
<th>Concept</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARIA index value</td>
<td>A school’s ARIA index value is the average ARIA+ score for the Statistical Area Level 1 in which the school is located (Regulation 14)</td>
</tr>
<tr>
<td>Major city school</td>
<td>A school with an ARIA index value of less than 1 (Section 13 of the Act)</td>
</tr>
<tr>
<td>Inner regional school</td>
<td>A school with an ARIA index value of at least 1, and less than 2.4</td>
</tr>
<tr>
<td>Outer regional school</td>
<td>A school with an ARIA index value of at least 2.4, and less than 6</td>
</tr>
<tr>
<td>Remote school</td>
<td>A school with an ARIA index value of at least 6, and less than 10</td>
</tr>
<tr>
<td>Very remote school</td>
<td>A school with an ARIA index value of at least 10, and less than or equal to 15</td>
</tr>
<tr>
<td>Location percentage</td>
<td>The calculated percentage amount of the location loading that is applied to each school’s schooling resource standard (SRS) per student amounts and size loading (Section 41 of the Act)</td>
</tr>
</tbody>
</table>
Figure 3: Location loading percentage rates
B.2.1.2.6 Size loading

Legislative background: Section 42 defines the size loading for schools that are very small, small and medium in size. Section 43 defines the kinds of schools based on size. Section 44 sets out the maximum size loading. Section 45 defines the terms primary percentage and secondary percentage. Sections 46 to 50 deal with the size loadings for very small schools. Section 51 explains how to calculate the loading for medium-sized schools.

The size loading is calculated based primarily on a school’s enrolments.

Unlike the other loadings, the size loading takes the form of a dollar amount for the whole school rather than a percentage loading applied to the school’s schooling resource standard (SRS) base amount.

A large school does not receive a size loading. (Section 42(4) of the Act)

Medium-size schools receive a proportional loading.

Small schools receive the maximum size loading. In 2014, the loading will be $150,000 for a primary school and $240,000 for a secondary school. (Section 44(1) of the Act)

For very small schools, the size loading is phased in as their enrolments increase. The location of these schools is also taken into account in determining their size loading.

The size loading for combined schools is based on the loadings and enrolment limits for primary and secondary schools and the combined school’s proportion of primary and secondary enrolments.

Calculating the size loading for a school involves a number of key concepts about the enrolment levels at which the loading applies and the amount of the loading. These concepts are set out in the following figure and table.
Figure 4: Overview of size loading calculations

<table>
<thead>
<tr>
<th>Type of school</th>
<th>Loading amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large school</td>
<td>Nil loading</td>
</tr>
<tr>
<td>Enrolments greater than zero threshold (300 primary, 700 secondary)*</td>
<td></td>
</tr>
<tr>
<td>Medium school</td>
<td>Pro rata loading</td>
</tr>
<tr>
<td>Enrolments between zero threshold and maximum upper threshold (200 primary, 500 secondary)*</td>
<td></td>
</tr>
<tr>
<td>Small school</td>
<td>Maximum loading</td>
</tr>
<tr>
<td>Enrolments between maximum upper threshold and maximum lower threshold (15 primary, 100 secondary)*</td>
<td></td>
</tr>
<tr>
<td>Very small school</td>
<td></td>
</tr>
<tr>
<td>Enrolments below maximum lower threshold*</td>
<td></td>
</tr>
<tr>
<td>Very remote school</td>
<td>Loading grows pro rata from increased starting amount to maximum as enrolments increase above 1</td>
</tr>
<tr>
<td>(ARIA &gt;= 10)</td>
<td></td>
</tr>
<tr>
<td>ARIA between 1 and 10 and enrolments &gt; ARIA student number</td>
<td></td>
</tr>
<tr>
<td>ARIA between 1 and 10 and enrolments &lt;= ARIA student number</td>
<td></td>
</tr>
<tr>
<td>Major city school</td>
<td>Loading grows pro rata from starting amount to maximum as enrolments increase above 1</td>
</tr>
<tr>
<td>(ARIA &lt; 1)</td>
<td></td>
</tr>
</tbody>
</table>

* For combined schools a weighted average of the primary and secondary values applies.
<table>
<thead>
<tr>
<th>Concept</th>
<th>Explanation</th>
</tr>
</thead>
</table>
| **Maximum size loading** | The maximum loading amount a primary, secondary or combined school can attract based on its enrolments. The maximum loading for a combined school comprises the combination of:  
  a) the maximum primary loading multiplied by the school’s primary percentage for the year; and  
  b) the maximum secondary loading multiplied by the school’s secondary percentage for the year.  
  *(Sections 44(1) and 44(4) of the Act)* |
| **Maximum lower limit** | The enrolment level above which a school may be entitled to receive the maximum size loading. This level is 15 students for primary schools and 100 students for secondary schools. The maximum lower limit for a combined school is the average of the primary and secondary maximum lower limits weighted according to the school’s primary and secondary percentage enrolment shares.  
  *(Section 43(2) of the Act)* |
| **Maximum upper limit** | The enrolment level below which a school may be entitled to receive the maximum size loading. This level is 200 students for primary schools and 500 students for secondary schools. The maximum upper limit for a combined school comprises the combination of:  
  a) the maximum upper limit for a primary school multiplied by the school’s primary percentage for the year; and  
  b) the maximum upper limit for a secondary school multiplied by the school’s secondary percentage for the year.  
  *(Section 43(3) of the Act)* |
| **Zero lower limit** | The enrolment level above which a school is no longer entitled to a size loading. This level is 300 students for primary schools and 700 students for secondary schools. The zero lower limit for a combined school comprises the combination of:  
  a) the zero lower limit for a primary school multiplied by the school’s primary percentage for the year; and  
  b) the zero lower limit for a secondary school multiplied by the school’s secondary percentage for the year.  
  *(Section 43(4) of the Act)* |
| **Primary percentage** | The percentage share of a combined school’s primary enrolments.  
  *(Section 45(1) of the Act)* |
| **Secondary percentage** | The percentage share of a combined school’s secondary enrolments.  
  *(Section 45(2) of the Act)* |
| **Very small school** | A school with enrolments less than the maximum lower limit for a school of its type (primary, secondary or combined).  
  *(Section 43(1) of the Act)* |
Classifying a school as very small, small, medium or large is the first step in working out the size loading for a school.

### Definitions of kinds of schools based on size *(Section 43 of the Act)*

<table>
<thead>
<tr>
<th>Item</th>
<th>A school is this kind of school for a year</th>
<th>if the school has this number of students at the school for the year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>a very small school</td>
<td>less than the school’s maximum lower limit.</td>
</tr>
<tr>
<td>2</td>
<td>a small school</td>
<td>a) more than or equal to the school’s maximum lower limit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) less than or equal to the school’s maximum upper limit.</td>
</tr>
<tr>
<td>3</td>
<td>a medium-sized school</td>
<td>a) more than the school’s maximum upper limit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) less than the school’s zero lower limit.</td>
</tr>
<tr>
<td>4</td>
<td>a large school</td>
<td>more than or equal to the school’s zero lower limit.</td>
</tr>
</tbody>
</table>

The table below sets out the three enrolment limits for primary and secondary schools. It also includes some illustrative examples of limits for combined schools based on the selected enrolment shares set out in the worked examples in *Appendix F.5.6*.

<table>
<thead>
<tr>
<th></th>
<th>Primary school</th>
<th>Secondary school</th>
<th>Combined school (examples)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>90% primary</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>10% secondary</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>70% secondary</td>
</tr>
<tr>
<td>Max. lower limit</td>
<td>15</td>
<td>100</td>
<td>23.5</td>
</tr>
<tr>
<td>Max. upper limit</td>
<td>200</td>
<td>500</td>
<td>230.0</td>
</tr>
<tr>
<td>Zero lower limit</td>
<td>300</td>
<td>700</td>
<td>340.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>74.5</td>
</tr>
</tbody>
</table>
B.2.1.3 Capacity to contribute

Legislative background: Section 52 of the Act sets out the process for the determination of socioeconomic status (SES) scores. Section 53 of the Act explains that determinations may be on application or on the Minister’s own initiative. Section 54 of the Act explains the capacity to contribute percentage. Regulations 20 to 24 deal with SES scores. Regulation 20 concerns the determination of SES scores by legislative instrument. Regulations 21 to 24 set out the process for determining SES scores by administrative decision. The determination of an SES score by administrative decision is a reviewable decision under section 118 of the Act.

The term ‘capacity to contribute’ reflects the idea that some parents and school communities are more able than others to contribute financially to their school’s operating costs. The capacity to contribute percentage discounts the SRS funding amount of per student funding for a school.

Note: Loadings are not affected by the capacity to contribute percentage. Where a formula for calculation of a loading refers to the SRS funding amount, the undiscounted amount is applied.

The Act specifies that the following schools have a capacity to contribute percentage of zero:

- government schools
- special schools
- special assistance schools
- majority Aboriginal and Torres Strait Islander schools
- sole-provider schools. (Sections 52(6) and 54(1) of the Act)

That is, the SRS funding amount is not discounted for students at these schools.

The Act uses socioeconomic status (SES) scores to determine capacity to contribute percentages. These percentages are specified at section 54 of the Act and are listed in Appendix F.6 Capacity to contribute percentage.

Each school that does not have a capacity to contribute percentage of zero will have an SES score determined by the Minister. (Section 52(1) of the Act)

When the Minister makes a total entitlement determination of annual recurrent funding in relation to a school under section 26 of the Act, the Minister will apply the SES score for the school that is in effect at that time to calculate the total entitlement.

B.2.1.3.1 Calculating SES scores

The SES score for a school is usually calculated on the basis of the residential addresses of students at the school. Student residential addresses are collected periodically. (Regulation 21)

For most non-government schools, the approved authority must give the department a list of residential addresses for all the students attending the school (without names or other identifying information). The department will use these addresses to calculate an SES score based on where the students live.

SES scores are calculated by applying the process set out in regulations 21 to 24.
The student residential addresses for each school are linked with Australian Bureau of Statistics (ABS) national Census data.

Student residential addresses are assigned to a Statistical Area Level 1 (SA1) as determined using the Australian Statistical Geography Standard 2011 (ASGS) of the Australian Bureau of Statistics using a process known as geocoding. The ABS website has further information on the Australian Statistical Geography Standard.

Each SA1 has an SES dimension score calculated using ABS Census data. The community for each school is defined in terms of the SA1s from which it draws its students. The school’s SES score is calculated on the basis of the average SES of these SA1s. (Regulation 23)

**B.2.1.3.2 Determining SES scores**

An SES score for a school may be determined by the Minister by administrative decision under section 52(3) of the Act using the process set out in regulations 21 to 24. The determination of an SES score by administrative decision is a reviewable decision. (Section 118 of the Act)

SES scores may also be determined by the Minister by legislative instrument. SES scores determined in this way may be for a school or a group of schools. (Section 53(2) of the Act)

Determination of an SES score by legislative instrument is not a reviewable decision. (Section 118 of the Act)

Schools belonging to approved system authorities that have applied to have a student-weighted system average SES score applied to their member schools have their score determined by legislative instrument. (Regulation 20)

**B.2.1.3.3 When an SES score is determined**

SES scores are generally determined once every four years. However, the Minister may make a determination on his or own initiative at any time or following an application by an approved authority. The process for this application is explained in Appendix F.11: Request for determination of a new SES score.

For schools belonging to approved system authorities that have elected to have a student-weighted, system-average SES score, that score was determined in 2013 using the individual SES scores of a system’s member schools weighted by 2013 enrolment numbers. (These scores were calculated following a geocoding exercise using 2012 residential address data and 2011 ABS Census data.)

This process was a one-off approach to the calculation of student-weighted, system-average SES scores to expedite January 2014 payments. Any further determinations of a student-weighted, system-average SES score will revert to normal practice whereby the SES scores of a system’s member schools will be calculated following a geocoding exercise of current (at the time the calculation is made) student residential addresses to determine each school’s SES score.

For all other schools, the determination was made in 2013 following a geocoding exercise using 2011 ABS Census data and 2012 student residential address data.
The next update of SES scores will use 2016 address data and 2016 ABS Census data. The SES scores from this calculation will take effect from 2018.

When the Minister makes a total entitlement determination of annual recurrent funding in relation to a school under section 26 of the Act, the Minister will apply the SES score for the school that is in effect at that time to calculate the total entitlement.

**B.2.1.3.4 How a determination can be made**

The Minister may determine an SES score for a school either by legislative instrument or by administrative decision. Such a determination is on the Minister’s own initiative and may be at any time. *(Section 53(1) of the Act)*

Section 53(2) allows an approved authority for a school to apply at any time to have an SES score for a school determined by administrative decision under section 52(3), unless the school already has an SES score determined by legislative instrument under section 52(2). The resulting SES score determination is a *reviewable decision*.

The Act does not provide for an approved authority for a school to apply for a determination of an SES score by legislative instrument. An SES score determined by legislative instrument would only be changed prior to the four-yearly update of all SES scores in exceptional circumstances. However, an approved authority with an SES score determined by legislative instrument may provide a business case to the department in writing for determination of a new SES score.

The process for this request is explained in [Appendix F.11: Request for determination of a new SES score](http://aeaguide.education.gov.au/).
B.2.1.4 Transitional recurrent funding for participating schools

Legislative background: Sections 57-63 of the Act.

Not all participating schools will attract funding according to the funding formulas specified in Division 2 of the Act from 2014. Instead, transitional funding arrangements apply to the majority of schools that existed prior to 2014 in order to move them to their fully loaded schooling resource standard (SRS) funding amounts (that is, their per student school resource standard funding amounts including total loadings) over time. This is essentially achieved through indexing per student amounts at different rates.

For implementation of the SRS funding arrangements, each approved authority was categorised as ‘below SRS’, ‘above SRS’ or ‘on SRS’.

To do this, an old per student amount for 2014 was calculated for each approved authority. This amount was based on the total public funding received in 2013 by each school in the approved authority, divided by the number of students at those schools in that year. This old 2014 amount was then compared to the approved authority’s 2014 fully loaded SRS amount.

If the old 2014 amount was less than the approved authority’s 2014 fully loaded SRS amount, the approved authority is referred to as being funded ‘below SRS’.

- For ‘below SRS’ approved authorities, the Minister may determine a level of funding for a year that is greater than the previous year’s amount by at least 4.7% (the transition rate) and not more than its full entitlement under Division 2 of the Act. (Section 59(3) of the Act) Each state and territory has an agreed transition rate which is generally applied.

- For these approved authorities, once the level of funding for a year would be more than its full entitlement under Division 2 of the Act, each school’s funding entitlement in that approved authority will be calculated under Division 2 of the Act (that is each school will be funded ‘on SRS’). (Section 60 of the Act)

- The Minister may also end a ‘below SRS’ approved authority’s transition period at which point each school’s funding entitlement in that approved authority will be calculated under Division 2 of the Act (that is each school will be funded ‘on SRS’). (Section 59(7) of the Act)

If the old per student amount for 2014 was greater than the approved authority’s 2014 fully loaded SRS amount, the approved authority is referred to as being funded ‘above SRS’.

- ‘Above SRS’ approved authorities have their old per student amount indexed at 3.0% until its funding is equal to its full entitlement under Division 2 of the Act, at which point each school’s funding entitlement in that approved authority will be calculated in accordance with Division 2 (that is each school will be funded ‘on SRS’) (Section 61 of the Act)

If the old 2014 amount was equal to the approved authority’s 2014 fully loaded SRS amount, the approved authority is referred to as being funded ‘on SRS’ and each school’s funding entitlement in that approved authority is calculated under Division 2 of the Act (that is, the transitional funding arrangements do not apply).

Further details on how the transitional funding arrangements are applied to schools under the Act are provided in ‘Transition arrangements under the Australian Education Act’.

2013’. B.2.1.4.1 Old per student amount for 2013 less than the new per student amount for 2014

During the transition period, if the old per student amount is less than the new per student amount for the funding year (schooling resource standard in 2014 for the school), the Minister may determine the amount of financial assistance payable for the approved authority.

The amount determined by the Minister must be equal to, or more than, the school’s old Commonwealth per student amount multiplied by the number of students at the school, plus 4.7% indexation. (Sections 59 to 60 of the Act)

B.2.1.4.2 Old per student amount for 2013 plus indexation, more than the new per student amount for 2014

During the transition period, if a school’s old per student amount (for 2013), increased by 3%, is more than the new per student amount (for 2014), the school’s entitlement is the old per student amount multiplied by the number of students at the school, plus 3% indexation. (Section 61 of the Act)

B.2.1.4.3 Old per student amount equal to the new per student amount

Where a school’s old per student amount is not above or below the new per student amount, the school’s entitlement is calculated under the schooling resource standard in section 32 of the Act.
**B.2.2 For government schools in non-participating states or territories**

**Legislative background:** Section 65 of the Act.

Financial assistance for government schools in non-participating states and territories will be paid by the Commonwealth under Part 4 of the Act. The financial assistance is provided through a national specific purpose payment for schools located in those states and territories.

The amount of financial assistance that is payable to those states or territories is worked out by reference to the amount those states and territories received for 2013 through the national specific purpose payment for schools under the *Federal Financial Relations Act 2009*.

That amount may be indexed each year, following a determination by the Minister as to the indexation rate. *(Section 65 of the Act)*

**B.2.3 Recalculation of an estimated (annual) entitlement**

The department may recalculate an estimated (annual) entitlement of an approved authority if there are changes in student numbers or characteristics that are not reflected in the data used to calculate its funding.

An approved authority may also seek a recalculation of its estimated (annual) entitlement if the estimate does not reflect current-year school arrangements. To do so, the approved authority must submit a business case to the department at GrantsandDataHelp@education.gov.au by 15 March of the year in question, commencing from 2015.

The business case must explain:
- the change in student numbers and/or characteristics, and
- the operational need for a re-estimation.

The department will advise the approved authority of the outcome of its assessment of the business case. If the case is successful, the approved authority will need to provide updated student enrolment information.

If a recalculation to an approved authority’s entitlement is required, the latest reliable data available to the department will be used. Any recalculation will be consistent with the funding formulas detailed in *B.2 Recurrent funding*.

Following a recalculation, payments to a non-government approved authority will normally be made in one of three scheduled payments across the programme year. *Appendix F.3.2 Timing of payments to approved authorities for non-government schools* has further details on payment arrangements and timing details.

In exceptional circumstances - normally involving the financial viability of the approved authority - the approved authority may ask the department to make payments earlier.

Any recalculation of an estimated (annual) entitlement will be reviewed at the end of the programme year and corrected with updated school data. This process will be consistent with the review and calculation of a school’s final entitlement for that programme year.
Note: A recalculation by the department of an estimated (annual) entitlement is not a determination under the Act or the Regulation. The recalculation is an administrative process that allows for flexibility where there have been changes in student numbers or characteristics that have not been reflected in the data used in the initial funding calculations.
B.3 Capital funding – overview

Legislative background: Sections 67 to 68 of the Act deal with capital funding for schools, including the limit on the total amount available.

Grants to non-government schools for capital infrastructure are administered for the department by block grant authorities. This funding is provided under the Capital Grants Programme.

The Capital Grants Programme provides funding for non-government school communities to assist non-government primary and secondary schools to improve capital infrastructure where they otherwise may not have access to sufficient capital resources.

The objectives of the Capital Grants Programme are to:

- provide and improve school capital infrastructure, particularly for the most educationally disadvantaged students
- ensure attention to refurbishment and upgrading of capital infrastructure for existing students, while making provision for needs arising from new demographic and enrolment trends
- pursue the Commonwealth’s other priorities and objectives for schooling.

The Act also provides for the possibility of capital funding for government schools through a capital grants authority. (Section 67 of the Act)

The Act does not currently appropriate money for funding under this provision. The power to provide capital funding under this provision is only activated when funding is allocated for a particular purpose and Parliament passes an Appropriation Act to provide that funding.

B.3.1 Block grant authorities

Non-government schools wishing to apply for Commonwealth grants for capital infrastructure must join the relevant block grant authority in their state or territory.

In each state there is one block grant authority for Catholic schools and another for independent schools. The Northern Territory and the Australian Capital Territory each have a joint block grant authority representing both Catholic and independent schools. The contact details for block grant authorities are available on the department’s website.

These authorities assess the applications from non-government schools and make recommendations for funding to the department.

B.3.2 Funding allocation

The Minister may determine an amount of financial assistance (capital grant funding) for a year that is payable to a block grant authority. (Section 67 of the Act)

The Minister must be satisfied that the school needs the financial assistance for capital expenditure and the capital expenditure must meet the aims of the Capital Grants Programme. The financial assistance is paid through state and territory governments.
The process by which the Australian Government provides funding to block grant authorities is outlined in the [Capital Grants Programme Operating Manual](http://aeaguide.education.gov.au). Allocations advised to block grant authorities do not include the Goods and Services Tax (GST), although final payments will include a component for GST.

**B.3.2.1 Limit on total amount available for capital funding**

The Minister may set a limit on the amount of financial assistance available for capital expenditure for non-government schools in each programme year. This limit must not exceed the amount worked out under section 68 of the Act.

The amount of financial assistance available for a year is worked out by multiplying the amount for the previous year by the indexation percentage.

The indexation percentage is worked out annually based on changes to two indexes: an index of building prices and an index of wage costs. Currently, the department uses as its index for building prices the movement in the [ABS Producer Price Index Non-Residential Building Construction](http://www.abs.gov.au) (the index) over a 12-month period (December to December). The index measures changes in prices of selected materials used in construction and in wage costs.

The Minister may decide to apply an indexation percentage based on the annual movement in building prices and wage costs. If the Minister does not make such a decision, the indexation percentage will be 100%. *(Section 68(3)(a) of the Act)*

**B.3.3 Eligibility for funding**

Eligible non-government schools may access Capital Grants Programme funding through membership of their relevant block grant authority. When a block grant authority receives an application from a school to become a member, it must advise the school of the rights and responsibilities of all parties under the Capital Grants Programme.

The [Capital Grants Programme Operating Manual](http://aeaguide.education.gov.au) outlines these responsibilities.

**B.3.4 Application process**

Each year, each block grant authority must advise its members of a new funding round and must invite applications for funding. Application procedures should be clearly documented in the authority’s procedures manual. Block grant authorities must provide a copy of their procedures manual to the department upon request.

**B.3.4.1 Assessment of applications by the block grant authority**

Each block grant authority must assess all applications submitted each year. This assessment must be completed by a specified date, currently 30 September. This date is the deadline for its submission to the department of its Annual List of Capital Projects.

**B.3.4.1.1 Meeting of objectives of Capital Grants Programme**

When assessing applications, each authority must ensure the projects that it is recommending contribute to the objectives for the Capital Grants Programme. Schools must state in their applications which of the Capital Grants Programme objectives their project is addressing.
B.3.5 Approval process and information for successful applicants

Each block grant authority must submit to the department, for the Minister’s approval, its recommended Annual List of Capital Projects. This submission will be through the School Entry Point.

The deadline for submission is 30 September each year, unless another date has been agreed by the department in writing.

B.3.5.1 Annual List of Capital Projects

The Annual List of Capital Projects must contain information about every grant application received by the block grant authority during the funding round. It must include any application considered under the authority’s assessment processes, even if the application was not submitted on an application form.

The list must include all applications including those:

- recommended for funding
- rejected
- deferred (until later in the current funding round pending resolution of outstanding issues)
- withdrawn (including where the withdrawal was before assessment by the authority).

B.3.5.2 Out-of-round recommendations

As a general rule, a block grant authority should include all recommendations for funding in the Annual List of Capital Projects to enable ranking of competing applications and for administrative efficiency. In limited circumstances, projects may be accepted out of round, where it is not practicable for the applicant to meet the Annual List of Capital Projects timeline.

Acceptance of out-of-round (ad hoc) recommendations is at the discretion of the department and is subject to the limit of capital funding worked out under section 68 of the Act not being exceeded.

The Capital Grants Programme Operating Manual outlines the detailed requirements of the approval process for the Capital Grants Programme.

B.3.5.3 New schools

Where a new school has been approved to receive funding under the Capital Grants Programme, but has not yet been approved to receive Grants for Recurrent Funding, it will not receive payment of the capital grant until such time as it has entered into a binding contract with the block grant authority indicating the school’s acceptance of grant conditions.

Block grant authorities must make schools aware of the fact that the school will not be able to obtain the grant until it is added to the list of approved non-government schools when offering a grant.
B.3.5.4 Review of decision
Where a block grant authority does not approve an application, it must provide reasons for the rejection to the applicant schools and must afford these schools the opportunity to have their applications reviewed.

This review process must be:
- independent of the original assessment process
- mutually acceptable to the block grant authority and its member schools.

This review process may be done before, or in parallel with, submission of recommendations to the department.

B.3.6 Managing grants
Member schools must enter into appropriate grant agreements with their block grant authority before any payment will be made under the Capital Grants Programme. Grant payments will not be made to schools that are not formally bound to grant conditions. Details of the grant agreement requirements are in the Capital Grants Programme Operating Manual.

B.3.7 Ongoing requirements for block grant authorities
A block grant authority must administer capital funding payable under the Act to meet the objectives of the Capital Grants Programme:
- provide and improve school capital infrastructure for the most educationally disadvantaged students
- ensure attention is paid to refurbishment/upgrading of capital infrastructure for existing students, while making provision for the need of new demographic and enrolment trends
- pursue the Commonwealth’s other priorities and objectives for schooling.

A block grant authority must also comply with requirements regarding:
- when and how to spend or commit to spend the capital funding approved by the department
- how to use money recovered from savings or projects that have not proceeded
- how to spend interest earned on capital. (Regulations 30(3) and 30(4))

B.3.7.1 Financial accountability
Block grant authorities must submit an Accountability Report for the previous year (the accountability year) to the department. This report must be submitted electronically by 30 June in the next programme year or a later date as approved by the department.

Full details for the accountability requirements, including submission details, are outlined in the Capital Grants Programme Operating Manual.
B.3.7.2 Information to the public about financial assistance

A block grant authority must make available to the public each year the following information about the Capital Grants Programme:

- the amount of financial assistance provided in the programme year for capital expenditure
- information on how the financial assistance was applied
- information to schools about the application process including:
  - eligibility criteria
  - required documentation
  - information sessions
  - closing date of application for funding
  - assessment procedures of applications
  - how decisions are made
  - contact details of the block grant authority
- information on the review process for decisions of the block grant authority to allocate capital grants funding.

To satisfy these requirements, a block grant authority may publish the information on its website, the internet, newsletter, bulletin board, application booklet or in other forms of communication.  
(Regulation 62)
B.4 Other funding for schools

Legislative background: Special circumstances funding is provided under section 69 of the Act. Regulation 25 identifies the information that will be taken into consideration in assessing an application.

Funding in prescribed circumstances is provided under section 69A of the Act. Under this section, the Minister may determine an amount of funding for a school for the year, if the Minister is satisfied that prescribed circumstances apply in relation to the school for the year.

Regulations 25A to 25G prescribe the circumstances that must apply for the Minister to be satisfied when determining an amount under section 69A of the Act.

Note: Special circumstances funding is also known as Short-Term Emergency Assistance Funding.

The Minister may determine an amount of financial assistance to a school for a year if the Minister is satisfied that such a determination is justified by:

- special circumstances (Short-Term Emergency Assistance) (Section 69 of the Act)
- prescribed circumstances. (Section 69A of the Act)

B.4.1 Special circumstances funding

Note: Special circumstances funding is also known as Short-Term Emergency Assistance funding.

The Minister may determine that an approved authority receive an amount of financial assistance (in this circumstance, Short-Term Emergency Assistance funding) that is payable for a school for a year if the Minister is satisfied that special circumstances justify the determination. (Section 69 of the Act, regulation 25)

The following sections of this Guide provide information for approved authorities considering making such an application for assistance:

- Eligibility
- Assessment and notification of outcome
- Information for successful applicants
- Financial accountability
- Further information and enquiries.

B.4.1.1 Eligibility

All approved authorities are entitled to apply for special circumstances funding. It is expected, however, that approved authorities with only one school would be the main applicants for this funding as government systems or approved authorities for more than one participating school have a greater ability to source additional funding without the need to resort to the Australian Government.
Similarly, it is expected that those approved authorities that are members of a peak body in their state or territory have advised the relevant peak body and have sought appropriate support and advice prior to applying for special circumstances funding.

Provision of special circumstances funding requires the approved authority to apply and satisfy all of the following special circumstances criteria. Applicants must demonstrate that:

a) the special circumstance was unexpected such that it would not have been reasonably foreseen by a competent approved authority
b) the special circumstances would, or are likely to, result in severe financial difficulty requiring the school to cease a large part of its educational activities, or significantly lower the quality of the education it provides, during the year
c) the financial difficulty is short term such that if the approved authority were to receive special circumstances funding the school would be able to:
   d) resume operating satisfactorily within two years, or
   e) continue operating until the end of the year
   f) the approved authority has exhausted all other options to remedy the financial situation of the school (including all alternative sources of financial assistance) and there is still a need for financial assistance under special circumstances funding to address the school’s immediate financial difficulties.

Approved authorities will not be eligible for special circumstances funds where:

a) the approved authority is not fully compliant with all requirements of the Act and the Regulation, including the requirements for the provision of recurrent funding under the Act
b) the approved authority proposes to use the special circumstances funds to cover unpaid Australian Taxation Office debts, including Pay As You Go (PAYG) or Goods and Services Tax (GST)
c) the approved authority proposes to use the special circumstances funds to assist with the establishment of a school which has been operating for less than five years
d) the approved authority intends to use special circumstances funding solely to lower its level of indebtedness
e) the approved authority intends to use special circumstances funding for expenditure of a capital nature, or where a loss results from inadequate insurance cover for capital facilities
f) the approved authority is likely to experience long-term financial difficulties, or
g) the approved authority is likely to close or is in the process of winding down. However, where a school can demonstrate that the educational welfare of the students is likely to suffer severely if it could not stay open until the end of the school year, and there is no other educationally adequate, alternative school or service available to these students, special circumstances funding may be available for a school to continue to operate until the end of the current school year.

To be considered for special circumstances funding, the approved authority must submit a written application to be assessed by the department. In addition to satisfying all the criteria, the approved authority needs to provide an estimate and justification for the amount of funding
sought, as well as a business and recovery plan outlining the approved authority’s strategy for addressing the financial difficulty.

Other supporting information on the approved authority’s and the school’s governance, financial management, enrolments and staffing will be assessed to determine the extent to which it:

a) substantiates the approved authority’s claims against the special circumstances criteria
b) enables the department to develop a thorough understanding of the approved authority’s and the school’s financial situation and the underlying causes of the school’s financial difficulty

c) validates the school’s business and recovery plan.

All applications for special circumstances funding must be made be in writing using the Special Circumstances Funding for Schools Application Form.

The application form provides guidance on completing the form and information about the application process.

B.4.1.2 Assessment and notification of outcome

The assessment process starts only once the completed application has been received by the department. The case for special circumstances funding is assessed on the basis of:

- the information provided by the applicant with regard to satisfying all the special circumstances criteria and

- an assessment of the business and recovery plan which is made in the context of the supporting information relating to the school’s governance, financial management and longer term viability.

Following this assessment, a recommendation is made to the Minister with regard to the provision of special circumstances funding. Apart from payment of the assistance amount sought, or refusal of special circumstances funding, the scope of the recommendations may include:

a) payment of a lesser amount, and/or
b) staged payments to ensure satisfactory progress and attainment of key milestones, and/or
c) the provision of funding to contract a financial consultant or other professional to provide assistance with the development and implementation of a school financial recovery plan.

The final decision on whether to approve funding of a special circumstances application is made by the Minister.

On completion of the assessment and approval process, all applicants for special circumstances funding will be advised of the outcome in writing. Successful applicants will receive information relating to the amount of special circumstances funding offered and conditions with regard to its use and acquittal (see below for more information). Unsuccessful applicants will receive feedback on the reason(s) that their application for special circumstances funding was not successful.

The time taken for completion of the special circumstances assessment process varies and is to a large extent dependent on the complexity of the individual school’s circumstance. Typically, applicants are advised of the outcome of their application for special circumstances funding within
12 weeks of receipt of the completed application by the department. When the information provided by the applicant is incomplete, or the school’s circumstance is particularly complex and requires verification of information provided or additional information, the time taken to assess the application may be extended. The department will advise applicants of the progress of their application if the assessment process extends beyond 12 weeks.

**B.4.1.3 Information for successful applicants**

In order to receive special circumstances funding, the applicant must agree to the terms provided in the letter of offer. The letter will outline the conditions associated with the award of special circumstances funding and will vary depending on the individual circumstances of the applicant, but will include such conditions as the Minister considers appropriate.

The letter of offer will detail the requirements the authority must meet in order to receive funding, the appropriate use of special circumstances funding, reporting processes and special circumstances expenditure monitoring and acquittal requirements. In those cases where a special circumstances recipient’s recovery is staged, an assessment of the success of the first stage may be required before funds are committed to a second or subsequent stage.

While special circumstances funding is not a loan and therefore does not ordinarily need to be repaid, the Letter of Offer will make provision for suspension or recovery of funds if conditions of the funding agreement are not met. If appropriate, funds may be recovered through offsets against recurrent funding entitlements. Residual or unspent funds will also be recovered, including through offsets.

**B.4.1.4 Financial Accountability**

Approved authorities will meet their financial accountability requirements for special circumstances with respect to a programme year by having a qualified accountant submit to the department on or before 30 June of the following year, or such other date as the Minister approves, an electronic financial accountability certificate.

**B.4.1.5 Further information and enquiries**

Enquiries about the programme should be directed to the Special Circumstances Programme Manager by:

- phoning 1800 677 027 (request option 1, then option 2), or
- emailing: schoolsassurance@education.gov.au.

**B.4.2 Prescribed circumstances funding**

The Minister may determine an amount of funding for a school for the year if the Minister is satisfied that prescribed circumstances apply in relation to the school for the year. *(Section 69A of the Act)*

Regulations 25A to 25G prescribe the circumstances that must apply for the Minister to be satisfied when determining an amount under section 69A of the Act.
B.5 Funding for non-government representative bodies

Legislative background: Funding for non-government representative bodies is set out in section 70 of the Act. Sections 89 to 96 of the Act set out the approval process for non-government representative bodies.

The Minister may determine funding for non-government representative bodies. These bodies, approved by the Minister under Division 4 of Part 6 of the Act, represent the interests of one or more approved authorities for non-government schools.

Non-government representative bodies enable the Australian Government to provide funding under the Act for activities relating to education that is not provided directly to schools.

Most groups that represent non-government schools will not need to become non-government representative bodies under the Act, as this is only required under certain circumstances to facilitate payments from the Australian Government.

Organisations will only be able to apply to become a non-government representative body through a written invitation from the Minister. (Section 89 of the Act)

The invitation will spell out the full requirements and process to become a non-government representative body.

Once an invitation from the Minister has been received, an organisation can apply to become a non-government representative body. The application should address the requirements for approval outlined in the Minister’s letter, including the requirements that the applicant:

- is a body corporate (Section 92(2) of the Act)
- is a not-for-profit organisation (Section 92(3) of the Act)
- is financially viable (Section 92(4) of the Act)
- meets the ‘fit-and-proper person’ requirement. (Section 92(5) of the Act)

The application should include a list of the schools represented by the non-government representative body.

If the Minister is satisfied that the organisation meets the requirements for approval, the Minister may approve that organisation as a non-government representative body for the schools listed by that organisation. This approval may be made subject to conditions such as those set out in a relevant arrangement. The agreement would specify the date at which the organisation becomes a non-government representative body.
B.6 Use of funding

**Legislative background:** Section 78 of the Act sets out the ongoing funding requirements for an approved authority for a school. Regulation 29 sets out the requirements in relation to spending, or committing to spend, financial assistance.

One of the ongoing funding requirements for approved authorities is the requirement for the approved authority to administer Australian Government funding under the Act in accordance with the Regulation. *Section 78(2) of the Act*

This funding comprises:

- recurrent funding for participating schools
- recurrent funding for non-participating schools
- special circumstances funding.

An approved authority for a school must spend or commit to spend recurrent funding payable under the Act, including interest earned on these funds, for the purpose of providing school education. *(Regulations 29(1) and 29(8))*

*Note: While the payment advice for recurrent funding provided to approved authorities expresses the payment as a base amount for every student plus loadings for certain student and school characteristics, the Australian Government does not require the approved authority to spend that funding on any particular student or group of students. Approved authorities make decisions about allocating the recurrent funding received for the purpose of providing school education to best meet the educational needs of all of their students, taking into account other revenue sources and budgetary restrictions.*

**B.6.1 All approved authorities**

Expenditure considered to be for the purpose of providing school education includes (but is not limited to): *Regulation 29(2)*

- salaries and other expenses relating to staff at the school, including expenses related to the professional development of the staff
- developing materials related to the school’s curriculum
- general operating expenses of the school
- maintaining the school’s land and buildings
- purchasing capital equipment for the school
- for a school whose capacity to contribute percentage is 0% — purchasing land and buildings
- administrative costs associated with the authority’s compliance with the ongoing funding requirements under the Act and requirements relating to implementation plans.

Commonwealth financial assistance for recurrent funding and special circumstances funding to an approved authority must be spent or committed to be spent in the calendar year in which the financial assistance is paid to the approved authority. *(Regulation 29(7))*
An approved authority for a school has committed to spend funds only if it has entered into a binding agreement for the exchange of a specified quantity of goods or services at a specified price on a specified future date or dates.

Financial assistance must not be spent, or committed to be spent, by an approved authority as security for a loan, credit or other interest (except for the purposes of purchasing land and buildings for schools with a capacity to contribute percentage of 0%) or in relation to litigation that is not related to a debt raised under this Act.

An approved authority must spend or commit to spend Commonwealth special circumstances funding in accordance with any written directions of the Minister. (Regulation 29(4))

All approved authorities, block grant authorities and non-government representative bodies are required to meet requirements under the Act to facilitate the monitoring of compliance. (Section 78(2)(b) of the Act)

See B.7. Financial accountability for further details on the compliance requirements for authorities and bodies.

**B.6.2 Approved authorities for more than one school**

Approved authorities for more than one participating school must distribute Commonwealth recurrent funding received under the Act in accordance with a needs-based funding arrangement that complies with requirements prescribed by the Regulation. (Section 78(3)(a) of the Act)

**B.6.2.1 Approved system authorities**

For approved system authorities, Commonwealth recurrent funding must be distributed under the needs-based funding arrangements with the following principles:

- The per student amount provided should reflect the recurrent resources required to support a student with minimal educational disadvantage to achieve expected educational outcomes. (Regulation 61(1)(a))

- The per student amount for non-government schools should recognise the capacity of the school’s community to contribute financially to the school (capacity to contribute percentage). (Regulation 61(1)(b))

- Additional funding should be provided to students and schools with additional needs to support student achievement, such as for:
  - students with disability
  - Aboriginal and Torres Strait Islander students
  - students with a low socioeconomic status
  - students who have low English proficiency
  - schools based on location
  - schools based on size. (Regulation 61(1)(c))

*Note: Approved system authorities can also include loadings additional to those listed above under a needs-based funding arrangement. (Regulation 61(2))*
- The funding model should take account of efficiencies that can be realised while improving educational outcomes. *(Regulation 61(1)(d))*
- The funding model should be publicly available and transparent. *(Regulation 61(1)(e))*

An approved system authority can develop a funding model aimed at improving educational outcomes in a number of different ways. For example, a funding model can meet the needs of multiple schools within the authority through the efficiency of a shared delivery of a particular programme or service.

The needs-based funding arrangement for an approved system authority must be set out in the authority’s approved system arrangement.

**B.6.2.2 Other approved authorities for more than one school**

An approved authority for more than one non-government school is required to distribute funding to its member schools in line with each individual school’s funding as determined under the Act.

An approved authority for more than one school, that is not an approved system authority, is unable to distribute funding based on a different funding model. *(Regulation 61(3))*
B.7 Financial accountability

**Legislative background:** Sections 78, 85 and 93 of the Act and regulations 32 to 40.

All approved authorities, block grant authorities and non-government representative bodies are required to meet requirements under the Act to facilitate monitoring of compliance.

The Act also contains provisions that allow the Minister to raise a debt for breaches to previous Acts, should an approved authority fail to comply with any previous requirements.

**B.7.1 Ongoing requirements under the Schools Assistance Act 2008**

It is a requirement that schools continue to comply with the funding agreement between the Commonwealth of Australia and the approved authority for the provision of funding under the *Schools Assistance Act 2008*.

Failure to comply with these requirements will be a breach of the *Schools Assistance Act 2008* and may result in a debt being raised against the approved authority. (*Section 109(3) of the Act*)

**B.7.2 Financial Accountability Certificate**

As part of their financial accountability requirements for a programme year, approved authorities, block grant authorities or non-government representative bodies for a school are required to submit to the Secretary a Financial Accountability Certificate on or before 30 June of the following year or another date approved by the Minister. For an approved authority that is a state or territory, the certificate must be certified by:

- the Auditor-General of the state or territory, or
- a person appointed by the state or territory Minister of the school. (*Regulation 34*)

In all other cases, a certificate must be provided by a qualified accountant. A qualified accountant means one of the following:

- a qualified accountant within the meaning of the *Corporations Act 2001*
- a person registered (or taken to be registered) as an auditor under the *Corporations Act 2001*
- a person approved by the Minister as a qualified accountant for the purposes of the *Australian Education Act 2013*. (*Regulation 34(4)*)

The qualified accountant (or corresponding person for a state or territory) is to provide a certificate on the basis that the financial records of the body have been examined and the opinion is formed that the amounts of financial assistance provided and paid for that year have been spent (or committed to be spent) in respect of that year for the purpose or purposes for which the assistance was granted. (*Regulations 29, 30 or 31*)

An approved authority for a school has committed to spend funds only if it has entered into a binding agreement for the exchange of a specified quantity of goods or services at a specified price on a specified future date or dates.
B.7.2.1 Approved Authorities
Approved authorities for schools must ensure a qualified accountant provides a certificate online through the financial accountability application which can be accessed through the School Entry Point website.

The Minister may delay and/or reduce payments of grants and/or raise a debt to the Commonwealth if the Financial Accountability Certificate is not submitted on time or if there are undue delays in providing the department with any additional information requested as part of the process. Further information on non-compliance with the Act can be found at E.1 Failure to comply with the Act.

B.7.2.2 Approved authorities for more than one school
Approved authorities for more than one school that are not approved authorities for government schools or approved system authorities are required to provide a breakdown of school allocations and administration costs against the schooling resource standard (SRS) and relevant loadings as calculated under the Act. (Regulations 34 and 36)

Approved system authorities are required to provide a breakdown of school allocations and administration costs against that system authority’s approved needs-based funding arrangement. Approved funding arrangements must include a base amount per student and loadings to support student achievement. (Regulations 36 and 61)

Participating states and territories are required to provide a breakdown of school allocations and administrative costs against that state or territory’s approved needs-based funding arrangement. A participating state or territory’s funding arrangement is outlined in the bilateral agreement between that state or territory and the Commonwealth. (Regulation 35)

Non-participating states and territories are required to provide a breakdown of Commonwealth funding between school allocations and administrative costs. (Regulation 35)

A representative of the approved authority will need to visit the ‘Financial Accountability’ application on the School Entry Point website and enter the amounts for grants allocated to each school and, if appropriate, the amounts retained against the relevant programmes for administrative purposes.

B.7.3 Report relating to financial assistance and financial operations — non-government schools
An approved authority, block grant authority or non-government representative body for a non-government school must provide a report to the Secretary for each year. (Regulation 36)

The report must include the following:

- The total amount of financial assistance paid under the Act that is allocated by the authority or body to each school for the year, broken down into the base amount and loadings for each school. If the approved authority is an approved system authority, the loadings are those included in the authority’s approved system arrangement.
A statement about how financial assistance paid in accordance with the Act was used or is intended to be used by the authority or body and the school.

A statement about whether the authority or body and the school has in place satisfactory internal accounting systems, controls and procedures for records kept by the authority or body in accordance with regulation 37.

A statement about the financial operations of the authority or body and the school including the authority or body’s financial viability, funding sources and:

- recurrent income and expenditure
- capital income and expenditure
- trading activities
- loans for recurrent or capital purposes
- assets and liabilities
- any other financial information required by the Minister
- for approved authorities, refundable enrolment deposits.

The report must also identify any records kept by the authority or body in accordance with regulation 37, and include a copy of any financial statement and audit document prepared in accordance with regulation 38.

The report must not include information that would identify a donor as a funding source for the school.

The report must be given to the Secretary no later than the day determined by the Minister and in a way determined by the Minister, where the Minister makes such a determination.

B.7.3.1 Financial Questionnaire

Approved authorities for non-government schools satisfy the requirement to provide information on the financial operations of a school by completing the Financial Questionnaire. The Financial Questionnaire follows the financial disclosure requirements set out in regulation 36. It is open to the department to request additional information in relation to the operation of a school or approved authority.

Approved authorities for non-government schools complete the Financial Questionnaire via the department’s School Service Point website using the ‘FQ on Internet’ application.

The Financial Questionnaire must contain particulars on matters which the department specifies, such as all income received and expenditure incurred in operating the school and/or system and providing activities for students in the relevant programme year.

The information must come from the audited financial statements prepared for the programme year. The audited financial statements that form the basis of the Financial Questionnaire must also be included in the Financial Questionnaire submission.
The Financial Questionnaire is due on 30 June for information relating to the previous year. Help with answering questions contained in the Financial Questionnaire is available on the ‘FQ on Internet’ application on the Schools Service Point.

Approved authorities of non-government schools must satisfy themselves that the data is accurate. In particular, they must ensure that schools’ financial accounts are audited early enough to ensure that the data in the Financial Questionnaire is drawn from these audited accounts.

The Minister may make a determination to delay and/or reduce payments of grants and/or require payment to the Commonwealth of grants if a statement about the financial operations of the authority or body and the school (via the Financial Questionnaire and including the auditors’ financial statements) is not submitted on time or if there are undue delays in providing the department with additional information needed to finalise the data. (Regulations 28 and 30)

The Financial Questionnaire also provides statistical information for national education publications, reports and national bodies, for example:

- the Australian Bureau of Statistics (ABS)
- the Australian Curriculum, Assessment and Reporting Authority (ACARA)
- the Organisation for Economic Co-operation and Development (OECD).

**B.7.3.1.1 Financial Questionnaire verification exercise**

Approved authorities for non-government schools may be notified by the department that they have been selected to participate in the Financial Questionnaire verification exercise. This exercise is a routine quality assurance process by which the department will check whether or not Financial Questionnaire data submitted by non-government schools and school systems has been correctly drawn from their audited statements. The approved authority may be required to provide financial reports by the date specified in the written notification. (Regulation 39)

These reports may include, but not limited to:

- a reconciliation statement showing how the individual items of income, expenditure and loans from the financial statements are allocated across the various Financial Questionnaire items
- details of any net figures in the audited financial statements of the Financial Questionnaire of the school and/or system.

**B.7.4 Requirement to prepare and audit financial statements**

An approved authority, block grant authority or non-government representative body for a non-government school must prepare and audit financial statements for the relevant programme years and provide it to the department by 30 June in the year following the programme year, or such other date as the Minister approves. (Regulations 36 and 38)

The financial statements must be prepared in accordance with the Australian Accounting Standards and audited in accordance with the Australian Auditing Standards and generally accepted auditing practices.
Note: The audited financial statement is in addition to the Financial Accountability Certificate by a qualified accountant referred to B.7.2 Financial Accountability Certificate.

B.7.5 Requirement to keep records

Records must be kept by an approved authority, block grant authority and non-government representative body. These records must be kept for seven years. (Regulation 37)

An approved authority of a government school must keep records relating to the authority’s compliance with the Act and Regulation, including records relating to enrolments and attendance records at school.

All other authorities and bodies must keep records relating to:

- the authority’s compliance with the Act and Regulation
- the financial administration of the authority.

Approved authorities for non-government schools must also keep records related to:

- enrolments and attendance at the school (Regulation 37(4))
- the financial administration of the school (Regulation 37(c)(i))
- capital expenditure in relation to land or buildings at or for the school including capital expenditure by contractors and sub-contractors carrying out works in relation to that capital expenditure. (Regulation 37(c)(ii))

The records must identify all income and expenditure that relates to any financial assistance paid to the authority in accordance with the Act. These records must be identifiably separate from other records that the authority or body may hold for the purposes of other undertakings the authority or body conducts or to which the authority or body is related.
Approved authorities for non-government schools must also keep records related to:
- enrolments and attendance at the school
- the financial administration of the school.

The records must identify all income and expenditure that relates to any financial assistance paid to the authority in accordance with the Act. These records must be identifiably separate from other records that the authority or body may hold for the purposes of other undertakings the authority or body conducts or to which the authority or body is related.

B.7.5.1 Access to records and premises
To monitor compliance with the Act and Regulation, the Minister may appoint an authorised person to access the records and premises of an approved authority, block grant authority and non-government representative body. The authority or body must allow an authorised person full and free access to certain records. (Regulation 39)

Approved authorities of government schools must allow the authorised person full and free access to records relating to the authority’s compliance with the Act and Regulation.

Approved authorities of non-government schools must allow the authorised person full and free access to records relating to:
- the authority’s compliance with the Act and Regulation
- the financial administration of the authority
- the financial administration of the school.

The authority or body must allow the person to take extracts from, and make copies of, the records.

An approved authority, block grant authority or non-government representative body for a non-government school must allow the authorised person to have full and free access to any premises occupied by the authority or body.

Approved authorities of non-government schools must allow the authorised person full and free access for the purposes of counting the number of students at a school for verification purposes such as the non-government school census post enumeration exercise.

Block grant authorities and non-government representative bodies must allow the authorised person full and free access to records relating to the authority or body’s compliance with the Act and Regulation, and records relating to the financial administration of the authority or body.

An approved authority, block grant authority or non-government representative body for a non-government school must allow the authorised person to have full and free access to any premises occupied by the authority or body.

Approved authorities for non-government schools must allow the authorised person full and free access to the schools to undertake an inspection of the campus including an inspection for the purpose of counting the number of students at the campus.
The authority or body must give or arrange for any help the authorised person requires for the purposes of this provision.

The authority or body is not required to comply with these requirements unless the authorised person gives reasonable notice to the authority or body of access required and that access occurs at reasonable times.

The authorised person must seek and consider the views of the relevant authority or body on any access required by the authorised person.

**B.7.5.2 Use and disclosure of records**

*Legislative background: Section 125 of the Act and regulation 65.*

The Minister may use information provided by an approved authority, block grant authority or non-government representative body in accordance with the Act for the purposes of administering the Act. The Minister may also use such information for administering other schools-related programmes, and for research, statistical analysis and policy development of matters relevant to the department.

The Minister may also provide information provided in accordance with the Act to national bodies, such as, but not limited to:

- the Australian Curriculum, Assessment and Reporting Authority (ACARA)
- the Australian Bureau of Statistics (ABS)
- the Productivity Commission.
B.7.6 Keep the Minister informed

Legislative background: Regulation 40 sets out the changes of circumstances that must be notified to the Minister in writing by an approved authority, block grant authority or non-government representative body for a school.

An approved authority, block grant authority or non-government representative body must notify the Minister, or department, in writing, of any change of circumstances for its approval under Part 6 of the Act.

An approved authority (other than an approved system authority) for a non-government school must also notify the Minister, or the department, of any changes of key individuals (defined in regulation 4) of the authority or body.

An approved system authority must also notify the Minister, or the department, of any changes to the person who is the chief executive officer or chief finance officer who is undertaking the tasks of the chief executive officer or chief financial officer of the authority.

Any change in details of an existing approved authority must advised by using the Approved Authority Application Form available from the School Entry Point.

Where the change will affect the approval of the school or approved authority, the department requires that it must be notified at least six months before the change takes effect. Such changes include:

- a school leaving a system
- a relocation
- an extension to year levels.

Such notification may result in a reassessment of the approval for the approved authority.
C. Approval processes and basic requirements

Legislative background: Part 6 of the Act sets out the process by which the Minister may approve authorities and bodies. Sections 72-81 set out the approval process and requirements for approved authorities. Sections 82-88 set out the approval process and requirements for block grant authorities. Sections 89-96 set out the approval process and requirements for non-government representative bodies.

Section 130(2)(b) provides for regulations to be made relating to matters that the Minister may have regard to in making a decision regarding whether to approve one of the above bodies and whether they meet their continuing requirements for approval.

Regulation 26 sets out the matters the Minister may regard in relation to the not-for-profit requirements for authorities and bodies. Regulation 27 sets out the matters the Minister may regard in relation to the financial viability requirements. Regulation 28 sets out the matters the Minister may regard relating to the ‘fit-and-proper person’ requirement.

Under the Act, the decision to approve authorities and bodies is made by the Minister.

C.1 Approval processes for new authorities and bodies sets out the processes required for:

- approved authorities and approved system authorities
- block grant authorities
- non-government representative bodies

In making a decision about an application for approval, the Minister must have regard to whether or not the applicant is able to meet the basic requirements set out in the Act and Regulation. These requirements are explained in C.2 Basic requirements for authorities and bodies.

An applicant seeking approval as an approved authority must:

- be a body corporate
- not be conducting a school for profit
- be financially viable
- meet the ‘fit-and-proper person’ requirement.

An applicant seeking approval as a block grant authority or non-government representative body must:

- be a body corporate
- be not for profit
- be financially viable
- meet the ‘fit-and-proper person’ requirement.
C.1 Approval processes for new authorities and bodies

Part 6 of the Act sets out the approval processes and requirements for:

- approved authorities and approved system authorities
  (Sections 72-81 of the Act and regulations 26-28)
- block grant authorities
  (Sections 82-88 of the Act and regulations 26-28)
- non-government representative bodies.
  (Sections 89-96 of the Act and regulations 26-28)

C.1.1 Approved authorities and approved system authorities

Legislative background: Sections 72-81 set out the approval process and requirements for approved authorities. Section 130(2)(b) provides for regulations to be made relating to matters that the Minister may have regard to in making a decision regarding the approval of approved authorities and whether they meet their continuing requirements for approval. Regulation 26 sets out the matters the Minister may regard in relation to the not-for-profit requirements for authorities and bodies. Regulation 27 sets out the matters the Minister may regard in relating to the financial viability requirements. Regulation 28 sets out the matters the Minister may regard relating to the ‘fit-and-proper person’ requirement.

Part C.1.1 discusses:

- approved authorities
- approved system authorities
- classification of systems
- occasions requiring an approval process
- application process – basic requirements and responsibilities
- application process for a new approved authority
- application process for an existing approved authority
- application as an approved authority for more than one school
- becoming an approved system authority.

C.1.1.1 Approved authorities

An approved authority is a legal entity that the Australian Government has approved to administer funding for a school or schools. The government expects that the approved authority will have management and operational authority over each school and its administration. An approved authority has certain legal responsibilities for the funding of, and the delivery of education to, its schools.

The approved authority for a government school is its relevant state or territory government. The approved authority for a non-government school is the body corporate approved by the Minister for that school.

An approved authority can be responsible for one or more schools. Some approved authorities for more than one school can be approved system authorities.
C.1.1.2 Approved system authorities
An approved system authority is an approved authority for more than one participating school which has entered into an approved system arrangement with the Australian Government. This arrangement is through a signed relevant arrangement.

Note: An organisation that was an approved system under the Schools Assistance Act 2008 is an approved system authority under the Australian Education Act 2013 only if it has entered into an approved system arrangement with the Australian Government (whether before or after 1 January 2014).

On the whole, an approved system authority has the same responsibilities as an approved authority. However, the system arrangement allows an approved system authority to reallocate recurrent funding to individual schools using an agreed alternative needs-based funding model that differs from the schooling resource standard (SRS) funding model in the Act.

An approved system authority must otherwise comply with the requirements detailed in the Act and Regulation for an approved authority for more than one school.

C.1.1.3 Classification of systems
A system under the previous Schools Assistance Act 2008 is considered to meet the requirements of the new Act as an approved system authority if it entered an approved system arrangement before 1 January 2014.

A system that did not enter into an approved system arrangement before 1 January 2014 is now classed as an approved authority for more than one school.

C.1.1.4 Occasions requiring an approval process
To receive Commonwealth recurrent funding, an organisation must be an approved authority.

The Australian Education (Consequential and Transitional Provisions) Act 2013 provides that an approved authority for a non-government school under the Schools Assistance Act 2008 (either for a currently approved school system or for a non-systemic school) remains an approved authority for each school for which it was an approved authority on 31 December 2013.

There are a number of additional basic requirements that new approved authorities need to satisfy under the Australian Education Act 2013. Therefore, existing approved authorities may still be required to go through a similar approval process.

The approval process applies whenever an approved authority acquires a school, extends or removes the year levels that a school provides, changes the location of a school or closes a school.

In all instances, it is the responsibility of the new or existing approved authority to inform the department of any changes in governance of its schools. See B.7.6 Keep the Minister informed.
C.1.1.5 Application process – basic requirements and responsibilities

An applicant must apply to the department to become an approved authority for one or more schools. The flow chart below details the basic requirements an approved authority needs in order to attract funding under the Act. These basic requirements are explained in more detail in C.2 Basic requirements. An approved authority for government schools is already taken to have satisfied these basic requirements.

Approval forms

- Evidence of incorporation (body corporate)
- Constitution
- State registration certificate—specifying the name, levels and locations
- Declaration of good character (fit-and-proper person)
- Declaration of financial viability
- Declaration that not-for-profit requirements are met in the constitution

Delegation and approvals

- Authorities applying for approval have 28 days after starting the application to provide the complete set of documentation to the department. If the department does not receive these documents within 28 days, the application will be considered withdrawn.
- The Minister has the responsibility for approving the approved authority.

All approved authorities must also satisfy and continue to meet ongoing policy and ongoing funding requirements. (Sections 77 and 78 of the Act)

A number of additional administrative requirements also apply to the existence and operation of an approved system authority:

- Approved systems must enter into an arrangement with the Commonwealth. The arrangement must satisfy regulation 61 and section 99 of the Act. (Regulation 5(2))
- Member schools of an approved system authority should share a common mission and philosophy and be recognised and regarded as a member school by the community.
- Each member school must formally agree to be a member of the system.
• Member schools must agree and provide evidence to the Department of system membership.
• System membership should be restricted to schools within a jurisdiction unless the Minister determines that it is in the public interest to operate across more than one jurisdiction.
• There is no minimum or maximum number of member schools required in order to become, or continue to be, an approved system authority.
• Approved system authorities may retain a reasonable and appropriate amount of Commonwealth recurrent funding paid under Part 3 of the Act in respect of a program year to support the governance and administration of the system in the delivery of education. This amount must be clearly reported to member schools and the Commonwealth.
• Irrespective of the number of schools for which an approved authority is or wishes to be approved, an approved authority must provide only one bank account for the payment of its funding entitlements.
C.1.1.6 Application process for a new approved authority

Legislative background: Section 115 of the Act provides for the Minister to approve the form for applications made under a provision of the Act.

The application can only be made using the online form available on the School Entry Point. The application must specify the details about the approved authority and the schools for which it is applying, along with locations and levels of education for those schools.

New applicants will need to satisfy all the basic requirements detailed in the Act and Regulation.

In addition to the above, an organisation wishing to be an approved authority for more than one school must:

- provide an implementation plan
- commit to pass on all recurrent funding received from the Australian Government to the schools as outlined in the Act and Regulation and in any approved system arrangement.

Where an organisation is applying to be the new approved authority for an existing school, it must provide evidence that it has acquired the school in question from the school’s previous approved authority.

C.1.1.7 Application process for an existing approved authority

Existing approved authorities can become approved for additional schools by applying to vary their approval. This is done through the same online form on the School Entry Point.

Note: If an approved authority for one school acquires additional schools, then it will need to comply with the rules for approved authorities with more than one school.

The application process applies whenever an approved authority acquires a school, extends or removes the year levels that a school provides, changes the location of a school or closes a school. An approved authority must inform the department if any of these changes occur, prior to the school census date. The department will check that the approved authority is complying with the basic requirements before approving any changes to the approved authority.

C.1.1.8 Application as an approved authority for more than one school

An organisation wishing to be approved as an approved authority for more than one school must also:

- provide evidence that its member schools have agreed that it should represent them as their approved authority
- provide an implementation plan
- demonstrate how it will provide to the schools it represents the financial assistance it receives for that purpose from the Australian Government.

C.1.1.9 Becoming an approved system authority

An approved authority that wishes to become an approved system authority must enter into an approved system arrangement with the Minister that includes a needs-based funding model that recognises:
a) the recurrent resources required to support a student to achieve expected educational outcomes
b) the capacity of a school’s community to contribute financially to the school
c) funding for additional needs, including for:
   i) students with disability
   ii) Aboriginal and Torres Strait Islander students
   iii) students with a low socioeconomic status
   iv) students with low English proficiency
   v) the location and size of the school
d) the efficiencies that can be realised from such a model.

This needs-based funding model must be transparent and publicly available. Further details of the conditions for expenditure for approved system authorities are in B.6.2.1 Conditions for expenditure.

C.1.1.10 Schools leaving or joining an approved system authority

The Australian Government does not interfere with the business decisions of schools or approved system authorities that are made in accordance with the requirements of the Act. Schools are free to join or leave an approved system authority. The Government recognises there will be negotiations within and between schools and systems in reaching decisions about system membership.

Schools should weigh up the benefits of leaving or joining a system against any possible changes in funding, including recurrent funding from the Commonwealth.

A school considering leaving a system to become an approved authority in its own right needs to take into account the additional compliance and operational costs of becoming a non-systemic school and the possible impact on the quality of education it can provide to its students.

There may be benefits to being a member of an approved system authority, including:
   a) the presence of governance and oversight arrangements
   b) reporting to government being undertaken by the system on behalf of a school
   c) reductions in costs of purchases, goods and services, insurance or maintenance that are a result of economies of scale
   d) the needs-based funding arrangements of the approved system authority may better target funding to meet the member school’s needs.

A school joining an approved system authority will attract to the system the amount of funding determined in accordance with its funding arrangements prior to joining. Once a member of the system, the school will be included in the same transition group as the approved system authority and funding it attracts to the system will be treated in accordance with the system’s transition pathway.
An existing school as at 1 January 2014 that leaves an approved system authority to become its own approved authority will attract the amount of funding it attracted to the system upon leaving. This funding will be treated in accordance with the transition pathway that would have been established at 1 January 2014 had it not been a member of an approved system authority. This funding will apply from 1 January in the year following the year it left the approved system authority.

An approved system authority’s transition pathway will be recalculated to take account of joining and leaving schools.

The student-weighted SES score for a system is determined by legislative instrument under section 52(2) of the Act. This SES score will remain for the current funding period (2014 to 2017) regardless of schools leaving or joining the system, or other changes, unless the Minister decides the score is unrepresentative, or the approved system authority presents a successful business case for a change to be made.

C.1.2 Block grant authorities

Legislative background: The approval process for block grant authorities is set out in sections 82 to 88 of the Act. Requirements relating to applications are sections 115 to 117 of the Act. Regulations 26 to 28 set out matters that the Minister must take into consideration in making a decision on an application.

In each state there are two block grant authorities for non-government schools: one for Catholic schools and one for independent schools. In each territory, there is a combined authority for both Catholic and independent schools. These block grant authorities were block grant authorities for their respective schools under the Schools Assistance Act 2008, and have remained approved as block grant authorities by operation of the Australian Education (Consequential and Transitional Provisions) Act 2013. (Item 6, Schedule 2, Transitional Act)

The Minister may approve additional block grant authorities provided they meet the requirements under the Act and Regulation. Prospective applicants should write to:

Branch Manager, Schools Funding Branch
Department of Education and Training
GPO Box 9880
Canberra ACT 2601

An application to become a block grant authority for a non-government school must specify the school or schools, or the approved authority of the school or schools, for which the application is made. (Section 82 of the Act)

If another block grant authority has already been approved for any of the schools specified in the application, the Minister may not approve the application for those schools. (Section 83(2) of the Act)
The applicant must also have written permission from the schools or approved authorities to receive financial assistance for capital expenditure for the schools or the approved authority. (Section 84(7) of the Act)

In addition, the applicant must represent at least 15% of non-government schools enrolments in the relevant state or territory and the schools listed must be able to meet the approval requirements of the Capital Grants Programme. These requirements are outlined in the Capital Grants Programme Operating Manual.

An applicant must meet the following basic requirements. The applicant must:

- be a body corporate (Section 84(2) of the Act)
- be not for profit (Section 84(3) of the Act)
- be financially viable (Section 84(4) of the Act)
- meet the ‘fit-and-proper person’ requirement. (Section 84(5) of the Act)

The Minister may place conditions on the approval of a new block grant authority, and the authority must comply with those conditions. (Section 83(3) of the Act)

C.1.3 Non-government representative bodies

The basic requirements for non-government representative bodies are the same as for approved authorities, detailed under Part C.1 and Part C.2 of this Guide. Details about the ongoing requirements for non-government representative bodies can be found under B.5 Funding for non-government representative bodies.

Application to be a non-government representative body is by invitation from the Minister. The Minister must be satisfied that the organisation represents the interests of the approved authority for the school and is likely to meet the basic requirements for approval. The Minister then has the power to approve a non-government representative body. This approval may be subject to conditions. (Section 91 of the Act)
C.2 Basic requirements for authorities and bodies

The information below applies only to approved authorities for non-government schools, block grant authorities and non-government representative bodies.

An approved authority for government schools located in a state or territory is already taken to satisfy the basic requirements listed below. (Section 76 of the Act)

Note: Dealings between the department on behalf of authorities and bodies should be signed off by key individuals in those authorities and bodies, including senior members of the school staff if those staff members also have an identified role in the running of the approved authority for the school.

C.2.1 Registration [for approved authorities]

An approved authority must have the appropriate state or territory registration to provide education for the relevant level and relevant locations. (Section 75(7) of the Act)

Registration is generally provided by the relevant state or territory government department in the form of a registration certificate. The certificate specifies the year levels (for example, Years 1 to 6) and the locations at which those year levels can be provided. For a school with more than one location, all the locations where education is provided must be registered or covered by the school’s registration.

When an approved authority seeks approval for a new school, it must provide a copy of the registration certificate for the school. Similarly, when an existing school changes location or gets approval from the state or territory to provide additional year levels, the approved authority must provide a new registration certificate to the department.

Note: An approved authority for a school will not be entitled to recurrent funding under the Act for students in year levels and locations for which the school does not have state or territory registration to provide.

C.2.2 Body politic or body corporate

An authority or body must be a body politic (for government schools) or a body corporate (for non-government schools). (Section 75(2) of the Act)

An approved authority is the legal entity responsible for the management and operation of schools for which it is approved.

Approved authorities must be incorporated under the Corporations Act 2001 or under other relevant legislation in their state or territory, such as that relating to associations, cooperatives, or religious and charitable institutions. Evidence demonstrating incorporation must be provided at time of application. See C.1.1.5 Application process – basic requirements and responsibilities.

C.2.3 Not for profit

An approved authority must not be conducting any of its schools for profit. (Section 75(3) of the Act and regulation 26.)
All approved authorities should conduct the operation of their schools on a not-for-profit basis. Generally, the department would expect the approved authority to be a not-for-profit organisation, however it is possible for a for-profit entity to be approved, provided the schools the entity operates are not conducted for profit. Whether or not a school is considered to operate for profit is considered on a case-by-case basis with regard to the actual circumstances of the school’s financial operations.

Block grant authorities and non-government representative bodies must be non-profit organisations. (Sections 84(3) and 92(3) of the Act)

C.2.3.1 Assessing not-for-profit status

In deciding whether or not a school is being conducted for profit, the Minister will examine how the entity that is responsible for the operation of the school (the approved authority) applies the money it derives from, or that relates to, its operation of the school. Critically, that money must be applied for the benefit of the school or schools of the approved authority, and not applied for the benefit of the owners of the approved authority or of any third party.

Regulation 26 outlines the factors the Minister would generally have regard to in deciding whether or not a school is conducted for profit for the purposes of the Act:

- a) the constituent documents of the approved authority
- b) recognition of the non-profit status of the approved authority
- c) the policies and practices of the approved authority with respect to the school
- d) the financial information provided by the approved authority in relation to the school.

C.2.3.1.1 Constituent documents of an approved authority

The constituent documents of an approved authority – for example, its corporate constitution, or the legislation under which it is established – should provide that the approved authority is a non-profit entity, or at least non-profit insofar as its education-related activities are concerned.

Further, those documents should provide that:

- a) surplus income of the approved authority derived from or related to the operation of its school/s must not be distributed to the owners of the approved authority or to any third party
- b) if the approved authority is wound up, net assets of the approved authority remaining after all obligations arising from the winding up have been satisfied will be donated to another non-profit entity that provides education-related services to primary or secondary students, for the purposes of those services.

Ideally, the constituent documents of the approved authority will have the following effect:

- a) revenue derived by the approved authority in relation to its school/s will be used only for the purposes of the school/s
- b) if the approved authority is wound up, net assets remaining after all obligations arising from the winding up have been satisfied will be donated to another approved authority that is in receipt of, or eligible for, Commonwealth financial assistance for its school/s.
Changes to an approved authority’s constituent documents can result in a reassessment by the department of whether it continues to conduct its school/s on a non-profit basis.

C.2.3.1.2 Recognition of non-profit status of an approved authority

Ideally, an approved authority should have its non-profit status recognised in some fashion – for example, registration as a charitable institution or deductible gift recipient for taxation purposes.

Failure by an approved authority to be so recognised will not, in itself, mean that its schools are regarded as being conducted for profit. Such recognition, however, provides a measure of assurance required by the Minister to support a conclusion that the approved authority’s school/s are not being conducted for a profit.

Equally, failure by an approved authority to maintain such recognition will not, in itself, mean that its schools are regarded as being conducted for a profit. Such a circumstance, however, may prompt the Minister to reassess whether or not the approved authority is continuing to conduct its school/s on a non-profit basis.

C.2.3.1.3 Policies and practices of an approved authority

The most significant factor in determining whether an approved authority is conducting its schools for profit is the actual behaviour of the approved authority with respect to school finances. Evidence of this behaviour includes:

- the policies it implements around the financial management of its school/s
- its conduct in receiving and spending money in relation to its school/s.

In particular, in assessing whether an approved authority is or is not conducting its school/s for profit, the Minister will have regard to such matters as:

a) the extent to which the approved authority has acted in accordance with the restrictions on distribution of surplus funds in its constituent documents
b) the extent to which money derived from or related to the approved authority’s school/s have, or have not, been applied to the purposes of its school/s
c) whether there has been a direct or indirect distribution of money derived from or related to the approved authority’s school/s to the owners of the approved authority, or any other entity (for example, in circumstances indicating profit-taking as opposed to genuine bona fide transactions).
C.2.4 Financial viability

Legislative background: Sections 75(4), 84(4) and 92(4) of the Act provide that financial viability is a basic requirement for approval, respectively, of an approved authority, block grant authority or non-government representative body. Regulation 27 sets out the matters the Minister may regard when making a determination with regard to whether or not an entity satisfies the financial viability requirement. Sections 81, 88 and 96 of the Act, respectively, provide for the Minister to revoke approval of an entity should the Minister consider that the entity is not financially viable as required by sections 75(4), 84(4) and 92(4) of the Act.

Before approving an approved authority, block grant authority or non-government representative body, the Minister must be satisfied that the authority or body is financially viable. (Sections 75(4), 84(4) and 92(4) of the Act, and regulation 27)

In assessing the financial viability of an approved authority, block grant authority or non-government representative body, the Minister can consider whether or not:

a) the organisation is a body corporate that is being wound up
b) the affairs of the organisation are under any form of external control (for example, the control of a manager) under any law
c) in the Minister’s view, the liabilities of the organisation are greater than its assets
d) in the Minister’s view, the organisation is (and is likely to continue for a substantial period to be) unable to pay its debts when they fall due for payment
e) an audit conducted in accordance with any law is expressed to be qualified or expresses concern about the financial viability of the organisation. (Regulation 27)

The Minister may also consider the amount of financial assistance the organisation receives, or is likely to receive, from the Commonwealth, state or territory.

If the Minister has concerns relating to the financial viability of a school, the Minister may make a determination to vary the frequency of payments to approved authority for the school. This also applies to block grant authorities and non-government representative bodies. (Sections 25, 28 and 30 of the Act)

The Minister can revoke approval for an approved authority, block grant authority or non-government representative body if the Minister no longer considers the organisation to be financially viable as required under, respectively, sections 75(4), 84(4) and 92(4) of the Act. (Sections 81, 88 and 96 of the Act)

C.2.4.1 Assessment

When determining an organisation’s financial viability, the Minister will consider information provided in the Financial Questionnaire and census return. Where there is uncertainty about an organisation’s financial viability, the Minister may request additional information.

The Commonwealth has an obligation to ensure that information received by the department is acted upon. A qualified audit certificate or information that a school has negative equity alerts the department to issues in the school which may require attention. Varying the payment frequency
to an organisation may occur only where there are concerns about the way in which the school is operating. Revoking an authority’s approval may take place when there is a real risk that the authority is trading while insolvent.

C.2.5 ‘Fit-and-proper person’ requirement

**Legislative background:** Sections 75(5), 84(5) and 92(5) of the Act and regulation 28.

All approved authorities, block grant authorities and non-government representative bodies must meet the ‘fit-and-proper person’ requirement. (*Sections 75(5), 84(5) and 92(5) of the Act and regulation 28.*)

The Act requires that an organisation must meet the ‘fit-and-proper person’ requirements to be an approved authority, block grant authority or non-government representative body.

In assessing whether the approved authority is ‘fit and proper,’ the Minister can consider whether or not:

a) the authority, or a key individual of the authority, has experience and expertise in administering a school and providing education at a school

b) the authority has appropriate governance arrangements in place, including arrangements for managing and supervising the provision of education at the school and arrangements to ensure compliance under Commonwealth, state or territory laws relating to the provision of school education

c) the authority, or a key individual of the authority, has debts to the Commonwealth in relation to the provision of school education. (*Regulation 28*)

For the assessment of all authorities and bodies, including approved authorities, block grant authorities and non-government representative bodies, the Minister can consider whether or not:

a) the organisation has governance arrangements in place to receive independent and professional advice about the way in which it complies with its obligations under the Act

b) the organisation, or a key individual of the organisation, has a record of satisfactory financial management, taking into account whether the organisation or individual has been bankrupt, insolvent or been placed under external administration

c) the organisation, or a key individual of the organisation, has been convicted of, or charged with, an offence, including an offence in relation to children, dishonesty or violence (subject to Part VIIC of the *Crimes Act 1914* which relates to spent convictions)

d) the organisation, or a key individual of the organisation, has engaged in a deliberate pattern of immoral or unethical behaviour. (*Regulation 28*)

C.2.5.1 Assessment

When determining whether an organisation is ‘fit and proper’, the Minister will consider information provided in the Financial Questionnaire and census return. In addition, approved authorities may be required to:

a) provide documentation supporting the claim that they have experience and expertise in administering a school and providing education at a school
b) complete a statutory declaration declaring:

i) that appropriate governance arrangements are in place, including to receive independent and professional advice about the way in which they comply with their obligations under the Act

   Note: For approved authorities, this declaration must also include that appropriate governance arrangements are in place for the provision of education at the school and that they comply with Commonwealth, state or territory laws.

ii) whether or not the organisation, or a key individual of the organisation, has been bankrupt, insolvent or been placed under external administration

   Note: For approved authorities, this declaration must also declare whether the authority has debts to the Commonwealth in relation to the provision of school education.

iii) that the organisation and any key individuals of the organisation have not engaged in any deliberate pattern of immoral or unethical behaviour.
D. Policy, information and planning

Note: Part D of the Guide is for approved authorities only.

Legislative background: Section 77 of the Act specifies the ongoing policy requirements for approved authorities, supported by regulations 41 to 60. Section 77(2)(f) and regulations 46 to 60 deal specifically with the requirements to provide information.

Part 7 of the Act, comprising sections 97 to 106, explains the requirements for approved authorities relating to implementation plans. Section 9(2) of the Australian Education (Consequential and Transitional Provisions) Act 2013 specifies that the requirement an implementation plan commences on 1 January 2016 or such a later date as specified by the Minister by legislative instrument made before 1 January 2016.

Approved authorities have a number of ongoing policy requirements.

The last of these requirements concerns the provision of information, including information relating to a school’s census, national data collection, school improvement plans, student reports to parents and information about a school that is made available to the public.

Approved authorities for more than one school must also have an implementation plan. This requirement commences on 1 January 2016 or such a later date as specified by the Minister by legislative instrument made before 1 January 2016. (Section 9(2) of the Australian Education (Consequential and Transitional Provisions) Act 2013)

D.1 Ongoing policy requirements

Approved authorities have six ongoing policy requirements relating to:

- enhancing principal and teacher performance and professional development
- implementing a recognised curriculum
- participating in the National Assessment Program
- developing school improvement plans
- complying with relevant disability discrimination laws
- provision of information.

D.1.1 Enhancing principal and teacher performance and professional development

The Australian Government is committed to enhancing the quality of teachers and school leaders through performance appraisal and ongoing professional development.

In support of this commitment the Australian Government asked the Australian Institute for Teaching and School Leadership (AITSL) to develop national resources to encourage a constructive performance appraisal process and clear guidance on quality professional learning.

The Australian Teacher Performance and Development Framework provides principals and teachers with a framework for performance conversations and the identification of appropriate
ongoing professional development consistent with the Australian Charter for the Professional Learning of Teachers and School Leaders.

The Framework and the Charter were endorsed by education ministers on 3 August 2012. These are posted on the AITSL website.

The documents set out what is required to build a comprehensive and effective approach to performance and development in Australian schools, recognising that implementation will look different in different school contexts.

D.1.1.1 Implementing the Australian Teacher Performance and Development Framework

Legislative background: Section 77(2)(a) of the Act and regulation 41(a).

Approved authorities must have processes and procedures in place that enhance principal and teacher performance and professional development at the schools for which they have been approved. (Section 77(2)(a) of the Act)

Approved authorities must implement the Australian Teacher Performance and Development Framework and provide access to ongoing professional development consistent with the Australian Charter for the Professional Learning of Teachers and School Leaders. (Regulation 41(a))

The Framework outlines three components of the performance and development cycle:

- reflection and goal setting
- professional practice and learning
- feedback and review.

D.1.1.2 Providing access to ongoing professional development

Legislative background: Section 77(2)(a) of the Act and regulation 41(b).

Approved authorities are required to provide professional development that is consistent with the Australian Charter for the Professional Learning of Teachers and School Leaders. (Regulation 41(b))

The Charter encourages professional practices to improve student learning, engagement and wellbeing. This is supported at all levels of education through:

- system leaders and policy makers, in enabling and supporting the development of learning and development options in schools
- school leaders, who lead and engage in the development of a learning culture in schools
- teachers, who take responsibility for and engage in personal professional learning opportunities to build capacity in themselves and in others.

More information on the Charter can be found at the AITSL website.
D.1.1.3 Implementation timeframes

Education ministers have agreed to continue existing efforts to:

- implement the Australian Professional Standards for Teachers
- endorse the principles and processes for the Certification of Highly Accomplished and Lead Teachers
- improve the quality of, and access to, professional development and performance feedback, through adoption of the Australian Teacher Performance and Development Framework and the Australian Charter for the Professional Learning of Teachers and School Leaders.

From 2014:

- systems and schools will work towards incorporating the Australian Professional Standards for Teachers as a part of the measures that support teacher career progression
- systems and schools will enhance teacher performance and professional development by incorporating the Australian Professional Standards for Teachers to support career progression and manage the national certification process for Highly Accomplished and Lead teachers in their jurisdictions.

D.1.2 Implementing curriculum

Legislative background: Section 77(2)(b) of the Act prescribes that an approved authority for a school must implement at the school a curriculum specified in the regulations for the Act. This section applies to all government and non-government schools.

Regulation 42(1) prescribes that schools must either implement the Australian Curriculum or a curriculum that is recognised by ACARA as allowing comparable outcomes to the Australian Curriculum and is included in the Recognition Register on the ACARA website. Regulation 42(2) requires a school’s approved authority to implement these curriculum requirements in learning areas agreed by the Ministerial Council by the times agreed by the Ministerial Council. Regulation 42(3) defines full implementation of the curriculum as a school teaching, assessing and reporting on student achievement using the content and achievement standards in the curriculum.

D.1.2.1 Context

An approved authority must ensure that the Australian Curriculum, or a comparable curriculum that is recognised by the Australian Curriculum, Assessment and Reporting Authority (ACARA), is being implemented at each school for which it is approved.

An Australian Curriculum is being developed for the learning areas of English, mathematics, science, history, geography, languages, the arts, health and physical education, civics and citizenship, technologies, and economics and business.

ACARA is overseeing the development of the Australian Curriculum. ACARA was established in 2008 and is responsible for curriculum, assessment and reporting at a national level. The membership of the ACARA Board includes representatives from both the government and non-government school sectors.
ACARA has developed a national recognition process for well-established alternative frameworks. The outcomes for organisations that submit alternative frameworks to ACARA for assessment are published on the Recognition Register on the ACARA website. ACARA’s recognition process does not replace state and territory school registration processes, which continue to apply.

**D.1.2.2 Implementation timeframes**

Government and non-government schools in participating states and territories must, as agreed through existing processes, implement the Australian Curriculum or a curriculum that is:

- recognised by ACARA as allowing comparable outcomes to the Australian Curriculum
- included in the Recognition Register on the ACARA website.

The implementation must follow the timeframes below:

- Foundation to Year 10 Australian Curriculum by 2016
- Senior secondary Australian Curriculum by 2018.

*Note: The term ‘Foundation Year’ has been used as a nationally consistent term for the year of schooling prior to Year 1 for the purpose of the Australian Curriculum. It does not replace the equivalent terms used in states and territories – Kindergarten (NSW/ACT), Preparatory (Qld/VIC/Tas), Pre-primary (WA), Reception (SA) and Transition (NT).*

For schools in non-participating states, the Australian Curriculum is being implemented as agreed by the Ministerial Council.

**D.1.3 Participation in the National Assessment Program**

National and international student assessments are the means by which governments, education authorities and schools can determine whether or not Australian students are reaching important educational goals, such as those set out in the Melbourne Declaration on Educational Goals for Young Australians (2008).

All approved authorities must ensure that their schools participate in the national student assessments such as annual literacy and numeracy testing and in any sample assessments for which a school is selected. These include student assessments that are part of Australia’s National Assessment Program and any other student assessments as agreed by education ministers in the Education Council. *(Section 77(2)(c) of the Act and Regulation 43)*

Regulation 43 includes a table showing the national and international student assessments that make up the National Assessment Program. The schedule for national student assessments is on the National Assessment Program (NAP) website.

The student assessments agreed under the National Assessment Program are included in the Measurement Framework for Schooling in Australia 2012:

- The National Assessment Program - Literacy and Numeracy (NAPLAN)—a full cohort, annual assessment in reading, writing, language conventions (spelling, grammar and punctuation) and numeracy for Years 3, 5, 7 and 9.
The National Assessment Program sample assessments—assessments for selected schools in Science Literacy (Year 6), Civics and Citizenship (Years 6 and 10), and Information and Communication Technology (ICT) Literacy (Years 6 and 10), run on a three-year cycle.

- The Programme for International Student Assessment (PISA)—an international sample assessment run on a three-year cycle by the Organisation for Economic Co-operation and Development (OECD) of 15-year-old students in reading, mathematical and scientific literacy.

- The Trends in International Mathematics and Science Study (TIMSS)—an international sample assessment run on a four-year cycle by the International Association for the Evaluation of Educational Achievement of students at Years 4 and 8 in mathematics and science.

Approved authorities must ensure each of their schools participates in assessments as agreed by the Education Council. *(Regulation 43(1)(d)*)

Education ministers have agreed that Australia should participate in the Progress in International Reading Literacy Study (PIRLS) 2016 run by the International Association for the Evaluation of Educational Achievement.

The requirement for schools to participate in national student assessments includes all aspects of the assessments integral to their conduct. For example, a school might be selected to participate in small-scale equating studies, in trialling and calibration assessments for NAPLAN or in field trials for National Assessment Program sample and international assessments.

An approved authority for a school must participate in all activities associated with the National Assessment Program. *(Regulation 43(4)*)

**D.1.3.1 NAPLAN annual full cohort assessments**

The Australian Curriculum, Assessment and Reporting Authority (ACARA) manages the development of and oversees the delivery of the NAPLAN annual full cohort assessments for the National Assessment Program. Test Administration Authorities are responsible for the implementation and administration of the tests in their jurisdiction.

The tests are conducted at schools and administered by teachers and principals. ACARA and the relevant test administration authority provide a range of support materials for schools to assist with running of the tests, including a Handbook for Principals, a Test Administration Handbook for Teachers and information letters for parents.

NAPLAN annual full cohort assessments managed by ACARA will be conducted in accordance with the National Protocols for Test Administration. The Protocols are reviewed annually to ensure consistency of test administration and conditions across states and territories. They reflect a shared commitment to delivering high-quality testing that is fair and equitable to all students and to ensuring public confidence in the testing process and the test results.

Any breaches of the protocols and allegations of cheating or improper behaviour will be investigated, managed and reported in line with the Guidelines for Managing Test Incidents in Schools.
D.1.3.2 National sample assessments

ACARA is responsible for management of the national sample assessments for the National Assessment Program and works with contractors regarding the administration of these assessments taking place in selected schools.

If a class at a school is selected to participate in the sample assessments, ACARA will provide support and clear guidance to ensure that all relevant members of the school staff understand their responsibilities and that consistent administration of the assessments takes place.

Contractors administering the national sample assessments supply each school involved with a comprehensive assessment package containing all of the information and materials necessary to administer the sample assessment.

An approved authority for a school must ensure the school participates in any assessments through the National Assessment Program where the school is selected to form part of a sample. (Regulation 43(1)(b))

D.1.3.3 International sample assessments

The Australian Government is responsible for the management of international assessments and works with contractors and states and territories regarding the administration of international assessments.

The Australian Council for Educational Research (ACER) is responsible for administration of Programme for International Student Assessment (PISA) 2015 and Trends in International Mathematics and Science Study (TIMSS) 2015. International assessments are conducted in accordance with international requirements. ACER will work with schools and school systems regarding the administration of the assessments taking place in selected schools.

An approved authority for a school must ensure the school participates in any international assessments through the National Assessment Program where the school is selected to form part of a sample. (Regulation 43(1)(b))
**D.1.4 School improvement plan**

**Legislative background:** Section 77(2)(d)(ii) of the Act. Regulations 44 and 45.

From 1 January 2015, approved authorities for schools must develop, implement, publish and review a [school improvement plan](#) for each of their schools. (*Section 77(2)(d)(ii) of the Act*)

Details on what a school improvement plan must consider and how it is to be distributed to the school community are set out in regulations 44 and 45.

**D.1.5 Compliance with disability discrimination laws**

**Legislative background:** Section 77(2)(e) of the Act.

Section 77(2)(e) of the Act reinforces existing legal requirements for all schools to comply with the relevant disability discrimination legislation of their state or territory and the *Disability Discrimination Act 1992*.

The [Disability Standards for Education 2005](#) (the Standards) are subordinate legislation under the *Disability Discrimination Act 1992* and came into effect in August 2005. The Standards clarify the obligations of education and training providers, and the rights of people with disability, under the *Disability Discrimination Act*. All education providers are required to comply with the *Disability Discrimination Act* and the Standards.

The Standards seek to ensure that students with disability are able to access and participate in education on the same basis as other students. ‘On the same basis’ means that a student with disability must have opportunities and choices which are comparable with those offered to students without disability. This requirement applies to:

- admission or enrolment in an institution
- participation in courses or programmes
- use of facilities and services.

A primary objective of the Standards is to make rights and responsibilities in education and training easier to understand. Under the Standards, education providers have three main types of obligations to which they must adhere:

- Consult with all relevant stakeholders in order to understand the impact of a student's disability and to determine whether any adjustments or changes are needed to assist the student.
- Make reasonable adjustments where necessary. An adjustment is a measure or action taken to assist a student with disability to participate in education and training on the same basis as other students. An adjustment is reasonable if it achieves this purpose while taking into account the student’s learning needs and balancing the interests of all parties affected, including those of the student with disability, the education provider, staff and other students.
- Develop and implement strategies to prevent harassment and victimisation of people with disability.
D.2 Information requirements

**Legislative background:** Section 77(2)(f) of the Act requires an approved authority to provide a range of information in accordance with the Regulation. Section 77(3) of the Act provides an indication of the range of information the Regulation may require the approved authority to provide. Section 77(3) does not limit, however, the making of regulations to only these categories of information.

Regulations have been made which require an approved authority to provide information relating to the school census (Regulations 46-51 and also 37(4) which relates to keeping record of enrolments and attendance rolls), national data collection (Regulations 52-58), student reports (Regulation 59) and information about the school made available to the public (Regulation 60).

Approved authorities are required to provide information relating to:
- the [school census](#) (Regulations 46-51, and also regulation 37)
- the [national data collection](#) (Regulations 52-58)
- [student reports](#) to parents and carers (Regulation 59)
- other information about the school made available to the public. (Regulation 60)

**D.2.1 School census**

**Legislative background:** Section 77(2)(f) of the Act requires an approved authority to provide information in accordance with the Regulation. Section 7 the Act sets out the process for determining the school census day and for determining which students are receiving education on census day. It sets out the process for notifying approved authorities about census day. Section 6 of the Act gives the definition of an overseas student. Regulations 46-51 set out the requirements relating to information to be provided about a school's census. Regulation 37(3) requires an approved authority for a school to keep records for seven years. Regulation 37(4) provides that this record-keeping requirement applies to enrolments and attendance rolls.

Approved authorities must provide information relating to a school's census. *(Sections 77(2)(f) and regulations 37 and 46 to 51)*

For government schools, each state and territory collects census data at various times during the year and supplies this data to the department and to the [Australian Bureau of Statistics](#). The annual census date for government schools is that day set by the relevant state or territory in their provision of enrolment data to the Commonwealth. This day is normally in August.

For non-government schools, the department is responsible for the collection of census data for provision to the Australian Bureau of Statistics. The annual census date for non-government schools in all states and territories is the first Friday in August.

This information is collected to enable the calculation of payments of financial assistance under the Act.

The data collection requirements for school census data have not changed from the requirements under the *Schools Assistance Act 2008*. 
D.2.1.1 Provision of information about a school’s census

For non-government schools, a census return for a year must be provided to the Secretary no later than seven days after the school’s census day for the year. *(Regulation 46(5))*

It is recognised that state or territory government approved authorities may require more time to prepare the census return for their schools, for example, to enable quality assurance of data. To account for this additional time requirement, the Secretary may allow for a longer period for those authorities. Initial funding payments for government schools in states and territories will be estimates only until final data is provided.

D.2.1.1.1 Census of non-government schools

Each year, an approved authority of a participating school must provide the Secretary of the department with census information for each location of the school, and in the form and manner approved by the Secretary. *(Regulation 46(3))*

For non-government schools, this process is referred to as the ‘Census of non-government schools’.

The information on the school and its students required in the census return is listed in regulations 47 to 50.

Census returns are submitted through the department’s *Census on the Internet* application at the [Schools Service Point](http://aeaguide.education.gov.au/). Registered users must first enter or confirm the name, address, characteristics and contacts on behalf of the school and confirm they have read the census definitions.

Users should use source documents (such as enrolment information and attendance rolls) to enter the headcount and full-time-equivalent workload of eligible staff, full-time students and part-time students manually on data-entry screens or upload this information in various data files.

Each user must then answer automated warnings that are generated according to the data that has been submitted. A declaration covering the accuracy of the census data must then be made online by a person authorised to act on behalf of the school’s approved authority.

Specific information and further arrangements for submitting a census return to the Department is published annually in June on the *Census on the Internet* application at the [Schools Service Point](http://aeaguide.education.gov.au/).

Approved authorities must keep for seven years working papers (such as class rolls and documentation relating to eligibility of students with a disability) used to report students in the census. The department may require access to this information to validate census submissions. *(Regulations 37 and 39)*

D.2.1.2 Arrangements for government schools

The approved authority for government schools in a state or territory would collect data from its schools and provide the information in a data file in a format approved by the Secretary.
D.2.1.2 Which students should be counted in the census?

**Legislative background:** Section 7 the Act sets out the process for determining the school census day and for determining which students are receiving education on census day. It sets out the process for notifying approved authorities about census day. Regulations 46 to 51 set out the requirements relating to information to be provided about a school’s census. Section 6 of the Act gives the definition of an overseas student. Regulation 6 specifies the exclusions from this definition.

Eligible students to be reported in the census are those students who:

a) are enrolled and participating in a level of education that constitutes primary education or secondary education and who attend schooling on a daily basis, and

b) are in attendance for at least one day in the census reference period (including census day) and who regularly attend school.

Information about students on visas, including overseas students, is collected in the census. [Appendix F.10 Overseas students](#) provides more information.

Specific information and arrangements for submitting a census return are published each year on the department’s [Census in the Internet application](#) at the [Schools Service Point](#).

The following types of students should not be reported in the census:

a) students who left the school permanently before census day (that is, students who have either ceased education or changed schools)

b) students who did not attend the school for any part of the census reference period

   **Note:** see [D.2.1.2.1 School census special circumstances application to include a student](#).

c) students who are not participating in primary or secondary education in the formal years of schooling

d) students registered as home-schooled students

e) students who are prohibited from engaging in studies as a condition of a visitor’s visa

f) students in Year 1 minus 2

   **Note:** For information on year levels, see the [Structure of Australian Schooling in the department’s Census on the Internet application at the Schools Service Point](#).

g) students in their Foundation Year (Year 1 minus 1) who will not be proceeding to Year 1 in Terms 1 or 2 of the following year

h) students who have only completed enrolment procedures and have not yet attended the school.

A student who is enrolled and regularly attending school but has not attended for any of the census reference period must not be reported in the census. For these students, a [School census special circumstances application to include a student](#) must be submitted.
D.2.1.2.1 School census special circumstances application to include a student

Legislative background: Section 10(2) the Act provides for the Minister to determine that a student is receiving primary or secondary education if the Minister is satisfied that special circumstances justify the determination. This determination is facilitated by the special circumstances application process.

If a student is usually in regular attendance at a school but is absent during the entire census reference period, this absence may affect the funding for the school. The approved authority may apply for Special circumstances for approval to include such a student in the census.

Such students are not to be included in the census count in the first instance.

A School census special circumstances application to include a student should be completed for these students to be considered in the census count. The application is available from the Schools Service Point.

The approved authority must ensure that privacy information is available to the parent/guardian of a student before details of the student are included in a School census special circumstances application. Sample privacy information for parents/guardians is available on the department website.

The application must be made to the department within 14 days of the census day for the year. The application must be emailed to the department at Grantsanddatahelp@education.gov.au.

To support an application, the approved authority must provide documentation in respect of each student, including:

- the date the student last attended the school
- the reason for absence during the census reference period
- when the student is expected to return.

The Minister will then consider each application and determine whether or not a student is to be treated - because of special circumstances - as attending the school for the census that year.

In the case of NSW schools, please refer to the Exemption from School – Procedures guide on the NSW Department of Education and Communities website. This guide provides a compliant process for special circumstances applications for NSW students. All documentation of the NSW process including the Certificate of Exemption must be provided with the application for each student.

The following table lists some of the typical reasons, evidence requirements, and/or assessment principles for special circumstances applications. This list is not exhaustive. Every application will be considered on a case-by-case basis, based on the information provided.
<table>
<thead>
<tr>
<th>Class of student</th>
<th>Notes and documentation (in addition to the application form)</th>
</tr>
</thead>
</table>
| **Student on extended leave with the family**  
>20 days and <100 days | This timeframe has been used because any less than 20 days would be likely to place the student in the reference period for the census and therefore be eligible for inclusion. Any greater than 100 days would mean the student would be absent for more than half of the school year.  
Documentation to include:  
- Copies of travel documents, or  
- Statement from parents/guardians advising the reason for the absence. |
| **Student with exceptional domestic circumstances** | The 100-day rule would trigger more detailed consideration.  
This applies to students enrolled on the census day but whose attendance throughout the relevant school year has been affected by exceptional domestic circumstances. In making a case to include a student, schools should consider the days of attendance in relation to a full-time study load and the level of engagement of the student.  
Documentation to include a statement from parents/guardians advising the reason for the absence. |
| **Student with exceptional personal circumstances** | The 100-day rule would trigger more detailed consideration.  
This applies to students enrolled on the census day but whose attendance throughout the relevant school year has been affected by exceptional personal circumstances. In making a case to include a student, schools should consider the days of attendance in relation to a full-time study load and the level of engagement of the student.  
Documentation to include a statement from parents/guardians advising the reason for the absence. |
| **Student with an illness/injury** | The 100-day rule would trigger more detailed consideration.  
Documentation to include a statement from parents/guardians advising the reason for the absence and medical certificates if necessary. |
| **Student employed in the entertainment industry** | The 100-day rule would trigger more detailed consideration.  
Documentation to include:  
- a statement from parents/guardians advising the reason for the absence and  
- a statement of support from the school. |
| **Student undertaking elite sport** | The 100-day rule would trigger more detailed consideration.  
Documentation to include:  
- a statement from parents/guardians advising the reason for the absence and  
- a statement of support from the school. |
| **Student has a regular reason of absence, for example, attends an ‘alpine school’** | The 100-day rule would trigger more detailed consideration.  
Documentation to include:  
- a statement from parents/guardians advising the reason for the absence |
Class of student | Notes and documentation (in addition to the application form)  
--- | ---  
**each ski season** | and  
- a statement of support from the school including evidence that the student is not counted in the ‘away’ school’s student numbers and that the ‘home’ school is providing support to the student.  

**Indigenous students with cultural responsibilities** | Documentation to include a statement from parents/guardians advising the reason for the absence.  

In the case of Aboriginal and Torres Strait Islander students from remote locations where adequate documentation may not be available, the department will consider a statement from the school as to the reasons for the absence and confirmation that the school has followed the necessary steps as required by the state legislative requirements, including regular reporting, contacting parents and the respective authorities.

Special circumstances applications in respect of students on extended discretionary leave of 100 days or more are unlikely to be successful. A *School census special circumstances application to include a student* will also be unsuccessful if the student is not considered to be a student because, for example, he or she:

a) has ceased attending the school  
b) last attended the school before the census day and will not be returning to the school until the following year  
c) has only completed enrolment procedures and has not yet attended the school  
d) is not participating in primary or secondary education in the formal years of schooling  
e) is registered as a home-schooled student  
f) is on a visitor visa prohibiting engagement in studies of more than three months’ duration  
g) is under four years of age as at 1 July of the current programme year  
h) is in Year 1 minus 2  
i) is in Foundation Year (Year 1 minus 1) and is not proceeding to Year 1 in the first or second terms of the following year  
j) is on a short-term exchange programme.
D.2.2 National data collection

Legislative background: Section 77(2)(f) of the Act requires approved authorities to provide information in accordance with the Regulation. Regulations 52-58A set out the information required with regard to data collection on schools and school education, and the way in which it is to be provided.

Approved authorities are required to provide a range of information for the purposes of a national programme to collect data on schools and school education. (Sections 77(2)(f), regulations 52-58)

Most of the information is already collected from approved authorities. Most schools will already have systems in place to collect and supply these data. Details about data and other information required, and about the responsibilities of schools, are provided in the regulations 46-58.

Approved authorities for schools are also required to provide information about students who are persons with a disability. (Regulation 58A)

D.2.2.1 Purpose of collecting the information

The national collection of school data supports education ministers in their evaluation of system and school performance, assisting in identifying what is working in schools across the country and directing resources to where they are most needed. It enables ministers to make informed decisions, based not only on the performance of their own schools or systems, but also in comparison to other schools and systems across the country. Best practices can also be identified and shared.

The data collected is used in a range of national reports, including:

- the Report on Government Services
- the National Report on Schooling in Australia
- the My School website.

Some of the data is also collected for the purposes of national statistics collections and supplied to the Australian Bureau of Statistics.

D.2.2.1.1 Collection of information

Much of the information that authorities are required to provide is available through existing data collections. To limit the reporting burden on schools, information is collected from existing collections wherever possible. For example, non-government schools provide data on school location, year levels, student enrolments and staff via the annual non-government schools census, managed by the department, which feeds into the National School Statistics Collection of the Australian Bureau of Statistics.

The department provides to ACARA the school financial information it collects from non-government schools via the annual Financial Questionnaire. (Regulation 36)

Student NAPLAN results are provided to ACARA by the state and territory Test Administration Authorities which carry out the annual NAP assessments.

D.2.2.2 Performance measures

Legislative background: Regulation 52 requires an approved authority for a school to ensure the school provides a range of information on its performance measure as set out in the table in regulation 53 and in the form set out in regulation 54.

Approved authorities must collect and provide information in relation to student performance in the National Assessment Program, vocational education and training (VET) programmes and school attendance. *(Regulations 53 and 54)*

The information must be provided in the way or ways determined by the Minister. *(Regulation 52(2))*

Information about performance measurement will support the development of Australian schools and school students through increased transparency and provide the ability to:

- assess and improve school performance
- gather and share evidence about the most effective methods of improving the performance of schools and school students
- target resources and support to those students and schools who are most in need.

Information about performance measurement will be published in a variety of national reports and forums, as agreed by education ministers, including:

- the *Report on Government Services* (RoGS)
- the *National Report on Schooling in Australia*
- the *My School* website.

The performance measures are agreed to by education ministers and published in the *Measurement Framework for Schooling in Australia 2012*.

The performance measures relating to student assessments are listed below. Regulation 43 gives more information on the conduct of these assessments and the related responsibilities of schools and systems:

- **National Assessment Program** (NAP) annual full cohort assessments:
  - the proportion of students in each achievement band relevant to each year level
  - the mean scale score
  - the proportion of students who participated in, were absent, were exempted or withdrawn from testing relevant to each year level.
- **National Assessment Program** (NAP) sample assessments— the proportion of students performing at or above the relevant proficiency standard.
- **Programme for International Student Assessment** (PISA)—the proportion of students achieving at or above the minimum national proficiency standard.
- **Trends in International Mathematics and Science Study** (TIMSS)—the proportion of students achieving at or above the minimum national proficiency standard.
The performance measures also include:

- Vocational education and training (VET) in schools—student attainment levels. This information is collected by ACARA from national collections of VET data held by the National Centre for Vocational Education Research (NCVER).
- Student attendance rates for Years 1 to 10. Information about the collection of this data and the responsibilities of schools can be found in regulations 55, 56 and 57, with further details in the table at Appendix F.8.
- Apparent retention rates from Years 10 to 12. This information is calculated from data that schools and systems already provide annually through school census processes.

A detailed table of these performance measures is set out in regulation 53.

**D.2.2.2.1 Form of information – performance measures**

Reporting of performance measurement data must be disaggregated according to specified student background characteristics. *(Regulation 54)*

The reporting of performance measurement data, disaggregated by student background characteristics, is a standard component of national performance reporting requirements, and applies to all government and non-government schools. This type of reporting is valuable as it enables data and policy analysis of specific groups of students, which helps inform policy and funding decisions.

Definitions for reporting outlined in the Regulations are agreed by education ministers and published in the Data Standards Manual.

Performance information for National Assessment Program annual full cohort assessments and national sample assessments must be able to be disaggregated by the sex, Indigenous status, socioeconomic background, language background, disability and geographic location of students.

The disaggregation of data will include students with disability following the implementation from 2015 of the Nationally Consistent Collection of Data on School Students with Disability. An update of the Data Standards Manual: Student Background Characteristics to include the Nationally Consistent Collection of Data on School Students with Disability will also occur at this time.

Performance information for the international assessments PISA and TIMSS must be able to be disaggregated by the sex, Indigenous status, socioeconomic background and geographic location of students. Information on student attendance is disaggregated by sex, Indigenous status and year level of students.

It is the responsibility of approved authorities to collect student background characteristics information from students’ parents. For national assessments, this is to be in accordance with the technical specifications provided in the Data Standards Manual.

Implementation of the nationally agreed definitions for these characteristics began in 2005 and, as such, most approved authorities will already have in place the required data collection protocols. New approved authorities, and others implementing the required data collection arrangements
for the first time, can find full details about actions needed in the Data Standards Manual in the ‘new users’ section.

Approved authorities have the responsibility of reviewing and adjusting their data collection tools and data processing procedures to ensure their collections incorporate the standard definitions, question modules and data coding structure for each of the variables, as per the technical specifications provided in the Data Standards Manual. Such a review would be necessary in the event that education ministers agree to new variables or definitions, and the Data Standards Manual would be updated to incorporate appropriate guidance to schools.

Data from National Assessment Program annual assessments at Years 3, 5, 7 and 9, along with student background characteristics and parent background information, is provided to ACARA by the relevant Test Administration Authority, on behalf of schools and education authorities, for national reporting purposes. This information can be used for general performance analysis, as well as for calculating the Index of Community Socio-Educational Advantage (ICSEA). ACARA may seek additional parent background information from approved authorities for any given year. This information may relate to students that were or were not assessed in NAP assessments in that year. Such information is required to calculate a school’s ICSEA value where existing records are insufficient for this purpose.

Where appropriate, the Regulation will be amended to reflect decisions made by education ministers regarding the collection and publication of performance measurement data.

D.2.2.2 Timing of information – performance measures

Individual school information for most indicators is generally collected on an annual basis, or as otherwise determined by the Minister. (Regulation 52(2))

D.2.2.3 General information about schools and students

Legislative background: Regulation 52(3) requires an approved authority for a school to ensure the school provides a range of information to the Australian Curriculum, Assessment and Reporting Authority (ACARA). This information is specified in regulation 55 (general information about a school), regulation 56 (information about a school’s students) and regulation 57 (information about secondary schools and combined schools).

An approved authority of a school must ensure the school provides to ACARA information about the school and about its students. (Regulations 52(3) and 55-57)

Full details of the school information required under regulations 55 to 57 are in the table at F.8: School information collection requirements.

D.2.2.3.1 Provision of information to ACARA

Some of the information provided will be published on the My School website. Data that is published by ACARA provides the community with information that enables it to understand the performance of schools and the context in which they perform, and to evaluate the decisions taken by governments. This publication of data helps ensure schools are accountable for the public funding they receive and governments are accountable for the decisions they make.
Where an approved authority has concerns about information on a particular school as it appears on the *My School* website, it should raise these concerns with ACARA.

**D.2.2.3.2 Form of publication of information**

While the Regulation specifies the individual items of data to be provided for the purposes of individual school information, it is important to note that not all of the data collected is for publication in the form provided. For example, ACARA collects de-identified unit record student results from National Assessment Program annual assessments but publishes information at the school level.

**D.2.2.3.3 Protocols for collection and reporting**

Collection and reporting of individual school information is undertaken in accordance with the *Principles and Protocols for Reporting on Schooling in Australia*, agreed by education ministers in June 2009.

**D.2.2.3.4 Timing**

ACARA will specify the date on which data is to be provided. (*Regulation 52(3)*)

**D.2.2.3.5 Details of information required**

The table in *Appendix F.8 School information collection requirements* provides further details for each type of information required, including:

- the information required under the Regulation
- details about collection of data, and ministerial agreement to the collection and publication of data.

Information contained in the table is subject to change based on data availability and decisions by education ministers. Any changes would be reflected in amendments to the Regulation.

**D.2.2.3.6 Form of information**

The Minister may determine categories into which information may be broken down. (*Regulation 58*)

The Minister may determine that the information required under regulations 55, 56 and 57 be provided in a different format to allow disaggregation of data for analysis to assist in the evaluation of school education policies. Any such requirement would be subject to agreement of definitions by education ministers.

**D.2.2.4 Information on students who are persons with a disability**

Legislative background: Regulation 4 defines the term ‘Ministerial Council disability guidelines’ as being the guidelines for the *Nationally Consistent Collection of Data on School Students with Disability* as approved by the Ministerial Council for the year in question.

Regulation 58A(4) indicates that the terms ‘category of disability’ and ‘level of adjustment’ have the same meaning as in the Ministerial Council disability guidelines for the year. Regulation 58A(4) also states that the term ‘disability’ has the meaning as in the *Disability Discrimination Act 1992*.
Regulation 52(3A) requires approved authorities to provide information on students who are persons with a disability to the department on the day and in the way determined by the Minister.

Regulation 52(3B) requires the Minister to have regard to the Ministerial Council disability guidelines in making a determination under regulation 52(3B).

(The Ministerial Council disability guidelines will be known as the Nationally Consistent Collection of Data on School Students with Disability Guidelines or, in short, the NCCD Guidelines.)

Regulation 58A sets out the information required with regard to students who are persons with a disability.

Note: This part of the Guide sets out the information that approved authorities for schools are required to provide about ‘students who are persons with a disability’. This requirement for information relates to the Nationally Consistent Collection of Data on School Students with Disability. The concept of a ‘student who is a person with a disability’ is linked to the definition of ‘disability’ in the Disability Discrimination Act 1992.

This concept is different to the concept of ‘student with disability’ used to determine the student with disability loading explained in Part B.2.1.2.1 of the Guide. ‘Student with disability’ is defined by regulation 16(2) as being a student who meets the requirements of the state or territory in which the school is located, to receive financial assistance in relation to the student being a student with disability.

The definition used for the loading is thus based on the disability funding requirements of the state or territory in which a student resides, whereas the definition used for information required for national data collection is based on the national definition of disability as set out in the Disability Discrimination Act and on the Ministerial Council disability guidelines.

Over time, the Nationally Consistent Collection of Data on School Students with Disability, being phased in over 2013 to 2015, may provide relevant data on the prevalence within schools of students with disability and the level of adjustment being provided to them, subject to consideration by education ministers. The data collected could thus, in future, be used to help calculate the student with disability loading.

Approved authorities for schools are required each year to give to the department information about each student at a school who is:

- receiving primary or secondary education at the school on the school’s census day for the year
- a person with a disability
- a student about whom information must be provided, as specified by the Ministerial Council disability guidelines for the year. (Regulation 58A(1))

This information comprises:

- the student’s level of education
- the student’s category of disability
• the student’s level of adjustment
• any other information required to be reported by the Ministerial Council disability guidelines for the year, and
• any other information determined by the Minister. (Regulation 58A(2))

This information must not explicitly identify a student. (Regulation 58A(3))

D.2.3 Student reports

**Legislative background:** Section 77(2)(f) of the Act requires an approved authority to provide information in accordance with the Regulation. Regulation 59 sets out the requirements for student reports.

Schools must provide a student report at least twice a year to the person responsible for each child at the school, such as a parent or carer. (Regulation 59(3))

The report must be easy to understand. (Regulation 59(2))

For each student in Years 1 to 10, the report must assess the student’s progress and achievement. It must include an accurate and objective assessment of the student’s progress and achievement:

• against any available national standards
• relative to the performance of the student’s peer group
• reported as A, B, C, D or E (or an equivalent five-point scale) for each subject studied, clearly defined against specific learning standards as determined by the relevant education authority. (Regulation 59(4))

There is no requirement to assign A to E grades in a particular way, such as on a ‘bell curve’. For example, all students in a cohort could be given the same grade if they all meet the same requirements for the appropriate learning standard.

Individual parents may elect not to receive this type of reporting for their child via a written request to the school. Authorities must retain a copy of all such written requests on file.

The intention of comparative performance reporting is to provide parents with an indication of the achievement of their child relative to other students in the cohort. There is no requirement to provide the comparison in a particular way.

These requirements reflect the previous requirements under the National Education Agreement and under the Schools Assistance Act 2008.

D.2.4 Public information

**Legislative background:** Section 77(2)(f) of the Act requires an approved authority to provide information in accordance with the Regulation. Regulation 60 stipulates the minimum information about a school that must be made available to the public. Regulation 60 also stipulates the timing and the manner of provision of that information.
An approved authority must ensure information about a school is made public. *(Section 77(2)(f) of the Act and regulation 60)*

The minimum information required is stipulated at regulation 60. This regulation does not prevent an approved authority for a school making other information publicly available. Information that fulfils the requirements of regulation 60 that has already been made public under another requirement of the Act does not need to be made separately publicly available.

The information must be published on the internet within six months of the end of the year being reported. *(Regulations 60(1) and 60(3)(a))*

It must also be made available on request to parents or guardians who cannot access the internet. *(Regulation 60(3)(b))*

Approved authorities for schools that provide senior secondary education must also provide information on senior secondary outcomes. *(Regulation 60(1)(h))*

Authorities are encouraged to make other information available in each school’s annual report as appropriate to further inform the school community. *(Regulation 60(2))*

Information that is to be made publicly available as described in this section is a separate requirement to the provision of data to ACARA for publication on the My School website.

These requirements reflect the existing arrangements.
D.3 Plans and planning processes

**Legislative background:** Section 77(2)(d)(ii) of the Act requires an approved authority for a school to ensure that the school has a school improvement plan. Regulation 44 provides details about requirements for the development, content, implementation, publication and review of the plan.

Section 9(2) of the Australian Education (Consequential and Transitional Provisions) Act 2013 specifies that the requirement for an improvement plan commences on 1 January 2016 or such a later date as specified by the Minister by legislative instrument made before 1 January 2016.

Section 99 of the Act requires an approved authority for more than one school to have an implementation plan. Section 99 provides details about the content of the plan. Sections 100-104 provide details about implementation, duration, review and updating, and publication.

Regulation 45 indicates that for an approved authority for a participating school other than an approved system authority, one or more school improvement plans may constitute an implementation plan provided the plan/s comply with the requirements in Section 99 of the Act.

An approved authority for a school is required to ensure that the school has a school improvement plan. An approved authority for more than one school must have an implementation plan.

Generally, the difference between the two plans is the level of detail and information required.

While the school improvement plan is expected to be articulated at the school level, it should focus on how the school in question is addressing improvement within its gates.

On the other hand, the implementation plan is only required by approved authorities for more than one school (including school system authorities) and is developed at the approved authority level.

The requirement for a school improvement plan commences on 1 January 2016 or such a later date as specified by the Minister by legislative instrument made before 1 January 2016. *(Section 9(2) of the Australian Education (Consequential and Transitional Provisions) Act 2013)*

**D.3.1 School improvement plans**

An approved authority is required to ensure that each school has a school improvement plan. *(Section 77(2)(d)(ii) of the Act)*

The requirement for a school improvement plan commences on 1 January 2016 or such a later date as specified by the Minister by legislative instrument made before 1 January 2016. *(Section 9(2) of the Australian Education (Consequential and Transitional Provisions) Act 2013)*

Regulation 44 explains what a school improvement plan must consider and how it is to be distributed to the school community. Schools must develop, implement, publish and review their school improvement plan.
Most schools across Australia already produce school improvement plans and, as such, by expanding these plans to incorporate the requirements of regulation 44, there will be no need to produce a separate plan.

**D.3.1.1 Developing the school improvement plan**

Schools must develop their school improvement plan in consultation with parents or guardians and other members of the school community. This consultation may include involvement of the school’s board or parents and citizens council.

In developing their school improvement plans, schools should also have regard to:

- educational priorities for Aboriginal and Torres Strait Islander students
- the [National Safe Schools Framework](http://www.nationalsafeschools.gov.au/), which helps Australian schools to develop effective student safety and wellbeing policies. *(Note to Regulation 44(2))*

**D.3.2 Implementation plans**

Approved authorities for more than one participating school must have an implementation plan. *(Sections 98 and 99 of the Act)*

This requirement also applies to approved system authorities for the government and non-government sectors.

Section 99 provides details about the content of the implementation plan. Sections 100-104 provide details about implementation, duration, review and updating, and publication.

For an approved authority for a participating school other than an approved system authority, one or more school improvement plans may constitute an implementation plan provided the plan/s comply with the requirements in Section 99 of the Act. *(Regulation 45, Note 1)*
E. Miscellaneous

Part E of this Guide comprises information about:

- Failure to comply with the Act
- Review of decisions
- False or misleading information
- Delegation.

E.1 Failure to comply with the Act

Legislative background: Sections 107 to 113 in Part 8 of the Act deal with the actions the Minister may take for failure to comply with the Act and to require amounts to be repaid. This action is taken against a state or territory. Regulation 11 requires states and territories to pay to the Commonwealth a specified amount as a result of a failure to comply with Act (Section 108) or because of an overpayment or other debt (Section 109 of the Act).

Overpayment is defined in Section 9 of the Act. Regulation 63 indicates the limits on recovery of overpayments, recoverable payments and other unpaid amounts. Recoverable payment is defined in Section 11 of the Act. Regulation 64 sets out the mechanism for recovering capital funding when a school ceases to provide education. Regulation 66 requires the Minister to give notice of a decision to the affected party and to provide an opportunity for the affected party to respond.

The Minister may take action against a state or territory if an approved authority, block grant authority or non-government representative body fails to comply with the Act. (Section 108 of the Act)

Regulation 11 requires that states or territories establish processes to recover amounts that are recoverable under the Act or to assign the rights to recover the debt to the Commonwealth.

There are six instances where the Minister may take action:

a) A state or territory fails to comply with the conditions of financial assistance. (Section 22, section 23(2)(a) to (d) or section 23(3) of the Act)

b) An approved authority for one or more schools located in the state or territory fails to comply with the basic and ongoing requirements for approval. (Sections 75, 77 or 78 of the Act)

c) A block grant authority for one or more schools located in the state or territory fails to comply with the basic and ongoing requirements for approval. (Sections 84 or 85 of the Act)

d) A non-government representative body for a non-government school fails to comply with the basic and ongoing requirements for approval. (Sections 92 or 93 of the Act)

e) An approved authority or block grant authority for one or more schools breaches a condition to which the authority’s approval is subject.

f) A non-government representative body for a non-government school breaches a condition to which the body’s approval is subject.
E.1.1 Actions the Minister may take as a result of breaching the Act

If the Minister has determined that an authority or body has been non-compliant with, or has breached, the Act, the Minister may take any one or more of the following actions: (Section 110 of the Act)

a) determine in writing that the state or territory pay to the Commonwealth a specified amount

b) determine in writing that the amount of financial assistance that is payable to the state or territory under the Act is reduced by a specified amount

c) delay making any further payment (or a part of a further payment) to the state or territory under the Act for a year until:

i) there is a rectification of the non-compliance, breach or failure (under section 108 of the Act)

ii) the overpayment, amount of recoverable payment or unpaid amount is repaid (under section 109 of the Act).

The Minister may also delay payments until any overpayments, recoverable payments or unpaid amounts are repaid.

The amount (as detailed in (b) and (c) above) may be reduced or a payment delayed for:

a) one or more schools for a year, or

b) an approved authority for a school for a year, or

c) a capital grants authority or block grant authority for a school for a year, or

d) a non-government representative body for a non-government school for a year.

(Section 110(2) of the Act)

Limits on recovery of overpayments, recoverable payments and other unpaid amounts are set out in regulation 63.

Details about how capital funding can be recovered when a school ceases to provide education are set out in regulation 64.

In taking any action regarding a failure to comply with the Act, the Minister must have regard to any relevant arrangement of the state or territory in its capacity as an approved authority for government schools. (Section 110(4) of the Act)

The Minister must give notice of proposed decisions and must provide an opportunity for the affected party to respond. (Regulation 66)

Decisions under section 110 of the Act are reviewable decisions.
E.1.2 Debts and payment recovery
The Commonwealth may recover funding from or through a state or territory where:

- there has been an overpayment
- it has made a recoverable payment, including
  - a payment for which it did not have the legislative power to make.

E.1.2.1 Overpayments and recoverable payments
The Commonwealth may recover funding from or through a state or territory in circumstances where the total payment provided by the Commonwealth to an approved authority exceeds the amount the approved authority was entitled to receive. (Section 9 and sections 109(1), 109(2) and 109(3) of the Act)

The Commonwealth may recover overpayments from or through a state or territory relating to any payment made under:

- Australian Education Act 2013
- Section 11 of the Federal Financial Relations Act 2009
- Schools Assistance Act 2008
- Schools Assistance (Learning Together – Achievement Through Choice and Opportunity) Act 2004
- States Grants (Primary and Secondary Education Assistance) Act 2000

Such payments include, but are not limited to, recurrent grants, capital grants, targeted funding, and special circumstances funding.

An overpayment can occur when the Commonwealth makes a payment to or through a state or territory for a school for a year (often at the beginning of the school year), and this payment exceeds the amount determined for the school for the year through the Act (which is often determined later in the school year).

In order to recover the amount owing in the case of an overpayment, the Commonwealth can

- take action to determine an amount to be repaid
- reduce future payments, or
- delay further payments
to a state or territory for the approved authority.

A recoverable payment is defined in Section 11 of the Australian Education Act 2013.

The Commonwealth does not have a contractual relationship with the approved authority for a non-government school, block grant authority, or non-government representative body and is unable to recover funds from the authority without the assistance of the relevant state or territory.
Where the Minister makes a determination to raise a debt that must be repaid as a lump sum under the Act, the relevant state or territory must pay the amount by the specified time. *(Regulation 11)*

Where the circumstance giving rise to the debt was the responsibility of the state or territory (as in the case of an overpayment to a state for its government schools), the state or territory must make the payment itself.

However, where the circumstance giving rise to the debt was the responsibility of an approved authority, block grant authority, or non-government representative body, in relation to a non-government school, the state or territory has the following options. The state or territory may either:

- assign to the Commonwealth its right to recover the debt (and the Commonwealth must accept any such assignment), or
- promptly recover the debt from the authority or body.

If the state or territory assigns its right to recover the authority’s debt to the Commonwealth, the debt due by the state or territory to the Commonwealth that arises under the Act is taken to be extinguished. This is regardless of whether or not the Commonwealth chooses to exercise the assigned right, or how successful it is in recovering the debt from the non-government authority or body. The debt will then be recovered by the Minister on behalf of the Commonwealth.

**E.1.2.1.1 Recovery of recoverable payments**

The Commonwealth may recover payments in circumstances where it has made a payment for which it does not have the legislative power to do so, for example, where a payment has been made in error. *(Section 112 of the Act)*

**E.1.2.2 Recovery of capital funding where school ceases to provide education**

The Commonwealth may recover capital funding previously paid to a block grant authority or capital grants authority for a school where the school ceases to provide primary or secondary education. *(Section 109(4) and regulation 64)*
E.2 Review of decisions

**Legislative background:** Sections 115 to 117 of the Act deal with applications made under the Act. Section 118 lists the decisions that are identified as reviewable decisions under the Act. Section 119 sets out written notification requirements when a reviewable decision is made. Sections 120 to 122 provide for the internal review of reviewable decisions. Section 121 allows for additional information to be requested by the Secretary of the department or by the internal reviewer. Section 122 provides for a review of a reviewable decision by the Administrative Appeals Tribunal.

Some decisions under the Act can be reviewed internally and, if requested following internal review, by the Administrative Appeals Tribunal (AAT). A list of reviewable decisions, from section 118 of the Act, is in Appendix F.9 Table of reviewable decisions.

A relevant person, specified at section 118, may apply to the Secretary of the department for a review of a reviewable decision. The application must be in writing, set out the reasons why a review is required, and must be made within 30 days (or other period allowed by the Secretary) of the original decision being made. To help facilitate processing, an application should also include:

- the name and address of the person making the application
- if the person is applying on behalf of an approved authority, approved system authority, block grant authority or non-government representative body, the name and address of the authority or body
- if the application concerns a school, the address and location of the school and the Department of Education and Training client number, and
- empirical and verifiable evidence to support the reasons for the application.

Applications may be sent by email to InternalReview@education.gov.au or by letter to:

The Director
Legislation and Assurance Policy Team
(Location Code C50MA9)
Department of Education and Training
GPO Box 9880
Canberra ACT 2601

When an application for an internal review is received, it is assessed by the department to make sure it is complete and complies with the requirements of the Act. On receiving the application, the Secretary must either review the decision personally or cause the decision to be reviewed by an internal reviewer.

An internal reviewer is a senior departmental officer:

- to whom the power to make the decision has been delegated
- who was not involved in making the original decision, and
- who is at least at the same level as the officer who made the original decision.

The internal reviewer may receive administrative assistance from departmental officers.
Reviewable decisions made personally by the Minister or by the Secretary cannot be reviewed internally but may be reviewed by the Administrative Appeals Tribunal. *(Section 122 of the Act)*

The internal reviewer may uphold or vary the original decision, or make a new decision. This decision, the decision on review, has the same legal standing as the original decision.

If an applicant is not satisfied with the decision on review, the applicant may apply to the Administrative Appeals Tribunal to have that decision reviewed. Information on applying for a review by the Administrative Appeals Tribunal can be found on its website. The Administrative Appeals Tribunal has strict time limits for such applications which are specified on its website.

**E.2.1 Administrative Processes**

The department will continue to manage administrative processes relating to the review of many of the decisions made under the Act, whether or not they are reviewable decisions under section 118 of the Act. Such processes include:

- queries about the calculation of a school funding entitlement, including the component parts or underlying data
- applications for recalculation of estimated annual entitlement
- applications for determination of a new SES score (previously known as reviews).

*Note: Any administrative processes outlined below do not prevent an approved authority from making an application for a formal internal review under section 120 of the Act.*

**E.2.1.1 Calculation of a school funding entitlement**

An approved authority for a school may make a query about an estimated payment or the total funding entitlement, including component parts of the calculation, with the department at any time, both before and after the total funding entitlement decision.

All queries about an approved authority’s funding entitlements are handled by the Grants and Data Helpdesk at GrantsandDataHelp@education.gov.au. Requests from approved authorities setting out reasons for the query can be forwarded by approved authorities to this mailbox at any time.

**E.2.1.2 School data issues**

School funding entitlements (the estimated annual entitlement and the total entitlement) are calculated using a range of data held by the department or provided to the department by states/territories, ACARA and non-government school authorities. An approved authority for a school may query input data with the department at any time without having to rely on the internal review provisions of the Act. An approved authority can also write to the department outlining where there may be an error or omission in data.

(This action is different from seeking a recalculation of the estimated funding entitlement for a school because of a change of enrolments – see **E.2.1.3 Applications for recalculation of an estimated annual entitlement**.)
Requests from approved authorities must be in writing setting out reasons for the query and can be forwarded by approved authorities at any time to the GrantsandDataHelp@education.gov.au mailbox.

**E.2.1.2.1 ACARA input data for loadings**

The Act stipulates that ACARA provides certain data to the department for the calculation of the low SES student loading and the low English language proficiency loading. For the low SES student loading, the data provided is the SEA Quartile 1 and Quartile 2 numbers for each school, a component of the ICSEA – Index of Community Socio Educational Advantage. For the low English proficiency loading, the data provided by ACARA concerns the number of students with a disadvantaged language background other than English.

ACARA has an established process in place for quality assurance of data through its annual data collection. An approved authority for a school may make a query to ACARA about the data provided for the calculation of these loadings. ACARA works closely with jurisdictional authorities to review ICSEA calculations where data is not adequate, where owing to extraordinary circumstances the data does not properly reflect the background of students at an individual school, or where data is not available for the low English proficiency loading.

Following a payment, an approved authority for a school may also make a query to the department about these loading components of its funding entitlement (through process for funding queries outlined above.) As this data on loadings is provided to the department by ACARA, the department may undertake liaison with ACARA as required.

**E.2.1.2.2 Financial Data**

The department will continue to consult with approved authorities, schools and internal payment data areas to establish each school’s 2013 financial data for the purposes of calculating the annual funding entitlement.

Approved authorities can seek further information and explanation from the department through the processes for school funding queries as set out in E.2.1.1 Calculation of a school funding entitlement.

**E.2.1.3 Applications for recalculation of an estimated annual entitlement**

The department may recalculate an estimated annual entitlement of an approved authority if there are changes in student numbers or characteristics that are not reflected in the data used to calculate funding. An approved authority may also seek a recalculation of its estimated annual entitlement if the estimate does not reflect current year school arrangements.

To do so, an approved authority must submit a business case in writing, by 15 March of the year in question (commencing in 2015), to the department at GrantsandDataHelp@education.gov.au.

**B.2.3 Recalculation of an estimated (annual) entitlement** contains additional information about this process.
E.2.1.4 Determination of a new SES score
An SES score is used to determine the capacity to contribute percentage for a school. *(Section 54 of the Act)*

An SES score may be determined by administrative decision for an individual school or by legislative instrument for an individual school or group of schools. *(Sections 52(3) and 52(2) respectively)*

Generally, SES scores will be updated every four years and will remain current regardless of students leaving or joining a school, or schools leaving or joining approved system authorities.

Further information about SES scores is given in **B.2.1.3.1 Calculating SES scores** and subsequent sections.

**Appendix F.11 Request for determination of a new SES score** provides approved authorities with information about how to apply for a determination of a new SES score.

E.3 False or misleading information
If a decision made under a provision of this Act and Regulation was based on, or took account of, information that was false or misleading, the decision may be set aside and a new decision made. The new decision may take effect from any day determined by the person making the decision. *(Section 123 of the Act)*

E.4 Delegation
To allow for smooth administration of the Act, the Minister may delegate powers under the Act to departmental officers. *(Section 129 of the Act)*

The Minister has delegated most of his powers to departmental officers responsible for administering the relevant provisions of the Act and Regulation. These include the power to determine the amount and timing of recurrent financial assistance for an approved authority.

There are some public-interest powers that the Minister may not delegate to officers of the department. These powers comprise:

- determining SES scores by legislative instrument *(Section 52(2) of the Act)*
- public-interest test for approving or not approving a person as an approved authority *(Section 74 of the Act)*
- approved authorities for government schools not taken to satisfy basic requirements *(Section 76(2) of the Act)*
- variation or revocation of approval of an approved authority in the public interest. *(Section 81(1)(c) of the Act)*
F. Appendices

Part F of this Guide comprises the following appendices:

- Acronyms
- Glossary
- Annual timelines for payments and reporting
  - Timing of payment of recurrent funding to government schools
  - Timing of payments of recurrent funding to non-government schools
  - Changes to timing of payments due to exceptional circumstances
  - Schedule for other key dates
- Concordance between Act and Regulation
- Fact sheets explaining loading calculations
  - Students with disability – sample calculations for loading
  - Aboriginal and Torres Strait Island students – sample calculations for loading
  - Students with a low socioeconomic status – sample calculations for loading
  - Students with low English proficiency – sample calculations for loading
  - Location – Sample calculations for loading
  - Size – Sample calculations for loading
- Capacity to contribute percentage
- Table of national assessments
- School information collection requirements
- Table of reviewable decisions
- Overseas students
- Request for determination of a new SES score
  - Background
  - Applying for determination of a new SES score by administrative decision
  - Applying for determination of a new SES score by legislative instrument
  - Outcome and effect of a determination of a new SES score
  - Sample of format for addresses
  - Copy of Statement of Addresses
  - Guidance on reasons for granting a new determination
- List of approved system authorities
## Appendix F.1: Acronyms

Below are the acronyms used in the Guide. A dotted line under the name or term indicates that there is an explanation in Appendix F.2: Glossary. If the name of an organisation is underlined and in blue, there is a link to its website.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAT</td>
<td>Administrative Appeals Tribunal</td>
</tr>
<tr>
<td>ABN</td>
<td>Australian Business Number</td>
</tr>
<tr>
<td>ABS</td>
<td>Australian Bureau of Statistics</td>
</tr>
<tr>
<td>ACARA</td>
<td>Australian Curriculum, Assessment and Reporting Authority</td>
</tr>
<tr>
<td>ACER</td>
<td>Australian Council for Educational Research</td>
</tr>
<tr>
<td>ACNC</td>
<td>Australian Charities and Not-for-profits Commission</td>
</tr>
<tr>
<td>ACT</td>
<td>Australian Capital Territory</td>
</tr>
<tr>
<td>AITSL</td>
<td>Australian Institute for Teaching and School Leadership</td>
</tr>
<tr>
<td>ARIA</td>
<td>Accessibility/Remoteness Index of Australia</td>
</tr>
<tr>
<td>ASGS</td>
<td>Australian Standard Geography Standard</td>
</tr>
<tr>
<td>ATSI</td>
<td>Aboriginal and Torres Strait Islander</td>
</tr>
<tr>
<td>COAG</td>
<td>Council of Australian Governments</td>
</tr>
<tr>
<td>FA</td>
<td>Financial Accountability</td>
</tr>
<tr>
<td>FQ</td>
<td>Financial Questionnaire</td>
</tr>
<tr>
<td>FTE</td>
<td>full-time equivalent</td>
</tr>
<tr>
<td>GST</td>
<td>Goods and Services Tax</td>
</tr>
<tr>
<td>ICSEA</td>
<td>Index of Community Socio-Educational Advantage</td>
</tr>
<tr>
<td>ICT</td>
<td>Information and communication technology</td>
</tr>
<tr>
<td>IEA</td>
<td>International Association for the Evaluation of Educational Achievement</td>
</tr>
<tr>
<td>MCEETYA</td>
<td>Ministerial Council for Education, Employment, Training and Youth Affairs.</td>
</tr>
<tr>
<td>NCVER</td>
<td>National Centre for Vocational Education Research</td>
</tr>
</tbody>
</table>

### MCEETYA

Note: In July 2009, MCEETYA was replaced by the Ministerial Council for Education, Early Childhood Development and Youth Affairs (MCEEDYA) following agreement of the Council of Australian Governments (COAG).

In January 2012, MCEEDYA was replaced by the Standing Council on School Education and Early Childhood (SCSEEC) following agreement of the Council of Australian Governments (COAG).

As of 1 July, 2014, the Standing Council on School Education and Early Childhood became known as the Education Council.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>NAP</td>
<td>National Assessment Program</td>
</tr>
<tr>
<td>NAPLAN</td>
<td>National Assessment Program — Literacy and Numeracy</td>
</tr>
</tbody>
</table>

OECD  Organisation for Economic Co-operation and Development
PAYG  Pay As You Go
PISA  Programme for International Student Assessment
RoGS  Report on Government Services
SCSEEC  Standing Council on School Education and Early Childhood
        Note: As of 1 July, 2014, the Standing Council on School Education and Early Childhood became known as the Education Council.
SEA  socio-educational advantage (See also ICSEA – Index of Community Socio-Educational Advantage)
SES  socioeconomic status
SRS  schooling resource standard
TIMSS  Trends in International Mathematics and Science Study
VET  Vocational education and training

Appendix F.2: Glossary

This section combines the definition sections of the Act and its Regulation.

All terms listed in the Definition section of the Act are in **bold italic**. The definitions of some of these terms have been augmented with information from the Regulation.

Terms listed only in the Definition section of the Regulation are in **bold underlined**. Some of these definitions may also have been augmented with information from the Act.

Terms in **bold** and not in italic or underlined are additional terms that have been defined.

**Aboriginal and Torres Strait Islander loading** is explained in section 37(1) of the Act, which sets out the calculations for the loading. In brief, this loading is based on:

a) the number of Aboriginal and Torres Strait Islander students in the school reported in the annual school census
b) the schooling resource standard amount per student
c) a loading percentage rate that reflects the proportion of Aboriginal and Torres Strait Islander students in the total enrolment at the school.

**Aboriginal and Torres Strait Islander student** is defined in regulation 16 which says that a student is an Aboriginal and Torres Strait Islander student if:

a) either or both of the following apply:
   i) the student is of Aboriginal descent
   ii) the student is of Torres Strait Islander descent, and
b) the student identifies as a person of that descent, and
c) the student is accepted by the community in which he or she lives as being of that descent.

**ACARA** is short for the Australian Curriculum, Assessment and Reporting Authority. This authority was established by Australian Curriculum, Assessment and Reporting Authority Act 2008.

**Act** means the Australian Education Act 2013.

**amount** includes a nil amount.

**approved authority** is the body to which recurrent funding under this Act is paid. For government schools, the approved authority is their relevant state or territory. For each non-government school, the approved authority is the body corporate approved by the Minister for that school. An approved authority may govern or administer a group of schools. Sections 72 to 81 in Part 6 of the Act set out the approval process for approved authorities. Sections 77 and 78 explain their ongoing policy and funding requirements.

**approved system arrangement** relates to an arrangement for determining the capacity of an approved authority to reallocate Commonwealth recurrent funding using its own needs-based funding model as set out in regulation 61(1). This arrangement must also comply with the
implementation plan requirements set out in section 99 of the Act. Regulations 5(1), 5(2) and 5(3) explain the requirements for an approved system arrangement.

**approved system authority** is the approved authority for an approved system arrangement.

**ARIA** is short for the Accessibility/Remoteness Index of Australia. It is an index of remoteness derived from measures of road distances between populated localities and service centres. These road distance measures are then used to generate a remoteness score for any location in Australia.

*Note: More information about ARIA can be found at: www.adelaide.edu.au/apmrc/research/projects/category/about_aria.html.

**ARIA index value** is used to determine the loadings school receives for distance and for size. The ARIA index value is defined by regulation 14 as being the average ARIA+ score for the Statistical Area Level 1 in which the school is located.

*Note 1: In 2013, the average ARIA+ scores were obtained from the Australian Population and Migration Research Centre. The Australian Population and Migration Research Centre was responsible for the development and dissemination of the ARIA+ (2011) index.

*Note 2: If a school has more than one location, section 18 of the Act allows the Minister to determine its location for the purposes of working out its ARIA index value.

**ARIA student number** is the number of students at which a very small school may become entitled to the maximum applicable size loading for a school of its type. The ARIA student number is derived by reducing the school’s maximum lower limit as the school’s ARIA index value increases from 1 up to 10 so that more remote schools attract the full size loading at progressively smaller enrolment levels. The formula is set out under section 50 of the Act. Appendix F.5.6 also contains the formula followed by worked examples for calculations using the formula.

**ARIA+** is a successor to ARIA and is used to calculate the ARIA index value (below). ARIA+ is the standard measure of remoteness endorsed by the Australian Bureau of Statistics. ARIA+ forms the basis for the Bureau’s ‘Remoteness Structure’ component of the Australian Statistical Geography Standard.

*Note: More information about ARIA+ can be found at: www.adelaide.edu.au/apmrc/research/projects/category/about_aria.html.*

**ATSI [Aboriginal and Torres Strait Islander] percentage** is determined by dividing the number of Aboriginal and Torres Strait Islander students at the school for the year by the total number of students at the school for the year, and then adding one-fifth. This result is expressed as a percentage. The calculation for the ATSI percentage is given in section 37(2) of the Act.

**attendance rate**, for students at a school, means a percentage representing the total number of full-time-equivalent days the students attended the school to receive primary education or secondary education, divided by the number of full-time-equivalent days the students at the school could have received primary education or secondary education.
Note: Only certain students are taken into account for the purposes of this definition. Regulation 4(2) indicates that a student may be counted in the reporting period only if that student is:

a) a full-time student who is:
   i) in any of Years 1 to 10, or
   ii) an ungraded primary or secondary student, and
b) enrolled for the entire reporting period.

**Australian Accounting Standards** mean the accounting standards issued or adopted by the [Australian Accounting Standards Board](http://www.aasb.gov.au/), as in force from time to time.

**Australian Auditing Standards** mean the auditing standards issued or adopted by the [Auditing and Assurance Standards Board](http://www.aasb.gov.au/), as in force from time to time.

**Australian Professional Standard for Principals** means the standards of that name issued by the [Australian Institute for Teaching and School Leadership](http://www.aitsl.edu.au/). Limited.

**Australian Professional Standards for Teachers** means the standards of that name issued by the [Australian Institute for Teaching and School Leadership](http://www.aitsl.edu.au/) Limited.

**Australian Statistical Geography Standard** means the geographical framework of that name published by the [Australian Bureau of Statistics](http://www.abs.gov.au/) from time to time.

**authorised person** means a person authorised, in writing, by the Minister under regulation 33, which indicates that the Minister must be satisfied that the person has suitable qualifications or experience. Regulation 39 requires authorities and bodies to give an authorised person access to records.

**base amount** means the base recurrent funding amount provided to schools for students, calculated by the number of students at the school, multiplied by the schooling resource standard (SRS) funding amount and taking into account the school’s capacity to contribute percentage. In 2014, the SRS funding amount for primary school students was $9,271 per primary school student and $12,193 per secondary school student.

**block grant authority** for a school means the person that is approved as the block grant authority for the school under section 83 of the Act.

**capacity to contribute percentage** for a school is dependent on the school’s socioeconomic status (SES) score. [Appendix F.6](#) contains the table from section 54 of the Act which matches SES scores to a capacity to contribute percentage.

**capital expenditure** includes expenditure relating to any of the following:

a) investigating the need for:
   i) schools in particular areas, or
   ii) schools of particular kinds in particular areas, or
   iii) buildings or other facilities (or parts of buildings or other facilities) or equipment...
b) purchasing land, with or without buildings (or parts of buildings)
c) planning for the erection, alteration, extension, demolition or refurbishment of a building or other facility (or part of a building or other facility)
d) developing or preparing land for building or other purposes
e) erecting, altering, extending, demolishing or refurbishing a building or other facility (or part of a building or other facility)
f) installing or upgrading water, electricity or any other services
g) providing equipment, including information technology equipment
h) providing furniture
i) providing library materials or obtaining services and goods for cataloguing a library (or part of a library)
j) the administrative expenses of a capital grants authority in relation to administering other capital expenditure
k) any other expenditure prescribed by the regulations for the purposes of this definition.

**capital grants authority** for a school means:

a) the approved authority for the school, and
b) if a block grant authority is also approved for the school—the block grant authority, and

c) if the school is a non-government school located in a state or territory—the approved authority for government schools located in that state or territory.

**census day** is the day determined by the Minister for schools or approved authorities to do their school census.

**census reference period** is the four-week period ending on the census day (excluding school holidays).

**combined school** means a school that provides both primary education and secondary education.

**Commonwealth share** for a school is the percentage for the school prescribed by, or worked out in accordance with regulation 15.

*Note: A detailed explanation of the Commonwealth share is given in the Explanatory Statement for regulation 15 – Commonwealth share.*

**Data Standards Manual: Student Background Characteristics** means the Data Standards Manual: Student Background Characteristics, issued by ACARA, as in force from time to time.

**department** means the Australian Government Department of Education and Training.

**departmental official** means an official (within the meaning of the Financial Management and Accountability Act 1997):

a) who is in, or part of, the department, and
b) whose duties consist of, or include, dealing with matters relating to payments of financial assistance to a state or territory under this Act.
distance education means primary or secondary education provided to a student who does not attend a school, due to isolation or other circumstances.

foundation means the year of schooling immediately before Year 1.

government school means a school that is conducted by or on behalf of the government of a state or territory.

highly equitable: the Australian schooling system is highly equitable if there is a limited relationship between a student’s socioeconomic status and his or her educational performance, as measured by the Programme for International Student Assessment.

implementation plan means the plan that must be developed by all approved authorities for more than one school, that contains the activities, programmes and initiatives, and milestones and timelines for implementing those activities, programmes and initiatives.

Index of Community Socio-Educational Advantage (ICSEA) is a scale that represents levels of socio-educational advantage. B.2.1.2.3 Low SES student loading contains a more detailed information about this scale. The Australian Curriculum, Assessment and Reporting Authority (ACARA) has also two fact sheets on its website with further information:

- About ICSEA
- Guide to understanding 2013 ICSEA values.

inner regional school is a school in a location where the ARIA index is at least 1 and less than 2.4.

internal reviewer, in relation to reviewable decisions as defined by the Act, means the person:

- to whom the power to make the decision has been delegated
- who was not involved in making the original decision, and
- who is at least at the same level as the officer who made the original decision (Section 120(3)(b) of the Act)

key individual: an individual is a key individual of an approved authority, a block grant authority or a non-government representative body if the individual:

a) is an officer, of the authority or body, within the meaning of section 9 of the Corporations Act 2001, or
b) is responsible for executive decisions of the authority or body, or
c) is concerned with, or takes part in, the management of the authority or body, or
d) manages or supervises the provision of school education for the authority or body under an arrangement with the authority or body.

language conventions mean spelling, grammar and punctuation.

large school is a primary school which has 300 or more students, or a secondary school which has 700 or more students. A combined school is classed as a large school if the school enrolment is equal to or more than 300 multiplied by the school’s primary percentage, plus 700 multiplied by the school’s secondary percentage.
**level of education** means a particular year in a course of primary or secondary education (such as Year 6), or a reference to a student's age.

**location loading** means the funding loading provided to schools that are disadvantaged by their location. It is calculated by multiplying the base SRS funding amount with the number of students at the school, adding the school's size loading for the year, and multiplying it by the school's location percentage.

**location percentage** means the percentage used to calculate a school’s location loading.

**low English proficiency loading** means the funding loading provided to students who have low English proficiency, as determined by ACARA as disadvantaged language background other than English students. Part B.2.1.2.4 of this Guide contains a more detailed explanation of this loading.

**low socioeconomic status student loading** means the funding loading provided to schools based on the number of students at the school in socio-educational advantage Quartile 1 or Quartile 2, as determined by ACARA. B.2.1.2.3 Low SES student loading contains a more detailed explanation of this loading.

**major city school** means a school in a location with an ARIA value of less than 1.

**majority Aboriginal and Torres Strait Islander school** means for the previous year, is a school that has an ARIA index value of more than 10.53 (or is in a very remote area as defined in the MCEETYA Geographical Location Classification issued in July 2001, or any equivalent document) and enrols at least 50% Aboriginal and Torres Strait Islander students at the school; or if not in a very remote area, enrols at least 80% Aboriginal and Torres Strait Islander students at the school. (Section 8 of the Act)

**maximum lower limit** for a primary school is 15 students; or for a secondary school is 100 students; or for a combined school is 15 multiplied by the school’s primary percentage, plus 100 multiplied by the school’s secondary percentage; or as prescribed by the Regulation.

**maximum size loading** in 2014: for a primary school is $150,000; or for a secondary school is $240,000; or for a combined school is $150,000 multiplied by the school’s primary percentage, plus $240,000 multiplied by the school’s secondary percentage; or as prescribed by the Regulation.

**maximum upper limit** for a primary school is 200 students; or for a secondary school is 500 students; or for a combined school is 200 multiplied by the school’s primary percentage, plus 500 multiplied by the school’s secondary percentage; or as prescribed by the Regulation.

**medium-sized school** is a primary school with more than 200 and less than 300 students; or a secondary school with more than 500 and less than 700 students; or for a combined school has more than the school’s maximum upper limit and less than the school’s zero lower limit; or as otherwise prescribed by the Regulation.

**Minister** means the Australian Government Minister for Education and Training.
Ministerial Council means the council of Commonwealth, state and territory ministers—as it exists from time to time—with responsibility for school education. As of 1 July 2014, the council is known as the ‘Education Council’. It was previously known as the ‘Standing Council on School Education and Early Childhood’ (SCSEEC).

Ministerial Council disability guidelines means the guidelines for the Nationally Consistent Collection of Data on School Students with Disability (NCCD) that are approved by the Ministerial Council for the year.

Note: The guidelines are known as the ‘NCCD Guidelines’.

National Assessment Program (NAP) is the measure through which governments, education authorities and schools can determine whether or not young Australians are meeting important educational outcomes. It includes the National Assessment Program — Literacy and Numeracy (NAPLAN), three-yearly NAP Sample Assessments in Science Literacy, Civics and Citizenship, and Information and Communication Technology (ICT) Literacy, and international sample assessments. More information is available at [www.nap.edu.au](http://www.nap.edu.au).

National Assessment Program — Literacy and Numeracy (NAPLAN) is an annual assessment for students in Years 3, 5, 7 and 9. It has been part of the school calendar since 2008. More information is available at [www.nap.edu.au](http://www.nap.edu.au).

National Education Agreement is a schedule to the Intergovernmental Agreement on Federal Financial Relations (part of Schedule F: National Agreements), which came into effect on 1 January 2009. More information is available at [www.coag.gov.au](http://www.coag.gov.au).

National Education Reform Agreement means the agreement made between the Commonwealth and New South Wales on 23 April 2013 (and any other state or territory that becomes a party to the agreement after that day), as in force from time to time.

National School Opinion Survey refers the online school survey available to schools, systems and authorities, to conduct surveys, including surveys to ask agreed students and parents of their opinion on school elements. More information is available at [www.schoolsurvey.edu.au](http://www.schoolsurvey.edu.au).

Nationally Consistent Collection of Data on School Students with Disability is a new national data collection of information on how many students with disability are enrolled in Australian schools, where they are located and the level of adjustments provided for them. More information is available on the department website.

new per student amount means the approved authority’s total public funding amount for the year divided by the total number of students for the year at all of the schools which the authority is approved for.

non-government representative body means the body that plays an advocacy role and represents the interests of non-government schools and approved authorities for which they are approved.

non-government school means a school that is not a government school.
**non-participating school** is a government school located in a state or territory that is not a signatory to the National Education Reform Agreement and does not have a bilateral agreement with the Commonwealth in place.

**non-participating States and Territories** means the states and territories that are not signatories to the National Education Reform Agreement and do not have a bilateral agreement with the Commonwealth in place.

**number of students** generally means the full-time-equivalent (FTE) number of students, as counted in the census. A part-time student is counted as a fraction of one FTE, and the cumulative total of full-time and part-time students for a school is the full FTE student number. Most references to number of students in this Guide are references to FTE numbers. *(Sections 16 and 17 of the Act)*

**old Commonwealth per student amount** is the amount for an approved authority, determined by the Minister, generally based on the total public funding for the school for the previous year, divided by the number of students at the school for the previous year, and including the Commonwealth share element.

**old per student amount** is the amount for an approved authority, determined by the Minister, generally based on the total public funding received by a school for 2013, divided by the number of students at the school for 2013. For each year after 2014, this is calculated by taking the Commonwealth portion of the 2014 old per student amount and indexing it by 4.7% each year thereafter (unless otherwise specified in the Regulation). The state/territory portion of the old per student amount is indexed by the set amount for that state or territory.

**outer regional school** is a school in a location with an ARIA index of at least 2.4 and less than 6.

**overpayment** means a payment which exceeds the amount determined for the school for the year. *(Section 9 of the Act)*

**overseas student:** an overseas student is a person:

a) to whom one or more of the following subparagraphs apply:

i) the person holds a visa in force under the *Migration Act 1958* that permits the person to travel to Australia for the purpose of undertaking a course provided by a body

ii) the person is included in such a visa in force under that Act

iii) the person is prescribed as an overseas student by regulations made for the purposes of this subparagraph, and

iv) who is not excluded from being an overseas student by regulations made for the purposes of this paragraph.

*Note: Regulation 6 indicates that the following persons are excluded from being an overseas student:*

a) a dependent of a person who is receiving a sponsorship or a scholarship for the purpose of undertaking a course provided by an institution in Australia that:
i) is specified in Table A or B of section 4(1) of the Higher Education Funding Act 1988, and

ii) is meeting the full cost of the education component of the course

b) a person who is undertaking a course of study provided by an institution or body in Australia under a student exchange programme registered by the relevant education authority in the state or territory where the person is undertaking the programme

c) a person, or a dependent of a person, who is receiving a sponsorship or a scholarship from the Commonwealth of Australia for the purpose of undertaking a course provided by an institution or other body or person in Australia.

Further information is in Appendix F.10 Overseas students.

part-time student: if a student receives primary education or secondary education as at school part time, then for the purposes of working out the number of students at the school, the student is to be counted as a fraction of a student representing the fraction of the full-time study load that the student undertakes at the school. (Section 17(2) of the Act) See also number of students.

participating government school means a government school located in a state or territory that is a signatory of the National Education Reform Agreement and has a bilateral agreement with the Commonwealth in place.

participating non-government school means a participating school that is a non-government school.

participating school means a school that is a non-government school or a participating government school.

participating state or territory means a state or territory that:

a) is a party to the National Education Reform Agreement, and

b) has a bilateral agreement with the Commonwealth.

personal information has the same meaning as in the Privacy Act 1988.

primary education means:

- Foundation to Year 6 in ACT, NSW, Northern Territory, Queensland, Tasmania, Victoria, and Western Australia, and

- Foundation to Year 7 in South Australia.

primary percentage is the percentage of students at a school who are receiving primary education on the school’s census day for the year. (Section 45(2) of the Act)

primary school means a school (other than a combined school) that provides primary education.

primary student at a school means a person receiving primary education at the school (including a part-time student, but excluding an overseas student).
Programme for International Student Assessment (PISA) is an international study that was launched by the Organisation for Economic Co-operation and Development (OECD) in 1997. It aims to evaluate education systems worldwide every three years by assessing 15-year-olds' competencies in the key subjects: reading, mathematics and science. As of 2013, over 70 countries and economies have participated in PISA.

Protected information means information obtained under or for the purposes of the Act.

Qualified accountant, according to Regulation 35(4), means one of the following:
- a qualified accountant within the meaning of the Corporations Act 2001
- a person registered (or taken to be registered) as an auditor under the Corporations Act 2001, or
- a person approved by the Minister as a qualified accountant for the purposes of the Australian Education Act 2013.

Receives, when used in relation to primary education or secondary education, means someone who attends the school on a daily basis, where the school is in an approved location for the approved authority. Section 10 of the Act has an extended definition of ‘receives.’ Section 15 of the Act provides information on how levels of education are prescribed or determined.

Record includes an account or a document.

Recoverable payment means a payment that the Commonwealth does not have the power to make. (Section 11 of the Act)

Regulation means the Australian Education Regulation 2013.

Relevant arrangement of an approved authority for a school means a written arrangement between the Commonwealth and the authority relating to education reform requirements or grants of financial assistance provided in accordance with this Act to the authority for the school.

Note: For an approved authority for participating government schools, the National Education Reform Agreement is a relevant arrangement. For an approved authority for non-participating government schools, the Intergovernmental Agreement (within the meaning of section 4 of the Federal Financial Relations Act 2009) is a relevant arrangement.

Relevant person for a reviewable decision means the current or former approved authority for the school, the current or former block grant authority for the school, the current or former non-government representative body for the school, or an individual in question, depending on the reviewable decision. A full list of relevant persons from section 118 of the Act is in Appendix F.9: Table of reviewable decisions.

Remote school is a school in a location with an ARIA index value of at least 6 and less than 10.

Reporting period means the day or days determined by the Australian Curriculum, Assessment and Reporting Authority (ACARA) (or the Minister, in writing), within which required information must be given to ACARA.
reviewable decision means those decisions identified under the Act which may be reviewed internally and by the Administrative Appeals Tribunal. See Part E.2: Review of decisions.

school means a primary school, a secondary school or a combined school, and, where appropriate, a proposed school.

Note 1: Non-government schools that provide only distance education are taken not to be schools (Section 19 of the Act).

Note 2: For references to ‘school’ in Part 3 (funding for participating schools), section 55 of the Act indicates that a reference to a school includes the location of a school only if:
   a) the location is specified in the approval of the approved authority for the school, and
   b) the level of education provided by the school at that location is specified in that approval.

schooling resource standard (SRS) for a school takes into consideration the base funding amount (SRS funding amount) for each student plus loadings to address student and school disadvantage.

secondary education means:
   • Years 7 to 10 in the ACT, NSW, Northern Territory, Queensland, Tasmania, Victoria and Western Australia,
   • Years 8 to 10 in South Australia, and
   • Years 11 and 12 in all states and territories.

secondary percentage is the percentage of the students at a school who are receiving secondary education on the school’s census day for the year. (Section 45(2) of the Act)

secondary school means a school (other than a combined school) that provides secondary education.

secondary student at a school means a person receiving secondary education at the school (including a part-time student, but excluding an overseas student).

Secretary means the Secretary of the Australian Government Department of Education and Training.

selected student means a student selected in a sample.

SES dimension means each of the following dimensions:
   a) the education dimension
   b) the family income dimension
   c) the household-income dimension
   d) the occupation dimension.

SES score means the score attributed to a school, which considers students’ residential addresses and Australian Bureau of Statistics Census data. The SES score aims to measure the capacity of the
school’s parent community to financially support the school and includes a measure of parental income.

**Size loading** is based primarily on the school’s enrolments. Unlike the other loadings, the size loading takes the form of a dollar amount for the whole school rather than a percentage loading applied to the school’s schooling resource standard (SRS) base amount. *(Sections 42(1) to 42(4) of the Act)* Part B.2.1.2.6 provides a detailed explanation of the size loading. Appendix F.5.6 provides an explanation of how to classify school size and provides worked examples for calculations of the loading for different sizes of schools.

**Small school** means a primary school with 15 or more students, and 200 or fewer students; or a secondary school with 100 or more, and 500 or fewer students; or for a combined school has more or equal to the school’s maximum lower limit and less than or equal to the school’s maximum upper limit, considering the school’s primary and secondary percentage; or as otherwise prescribed by the Regulation.

**Socio-educational advantage** (SEA) is a scale based on a range of variables. SEA quartiles show the distribution of students in a school across four ‘Socio-Educational Advantage’ (SEA) quarters, representing a scale of relative socio educational disadvantage (‘bottom quarter’) through to relative advantage (‘top quarter’). These quartiles are calculated by ACARA using the student-level factors of educational advantage – parental occupation and education. The SEA is the basis on which the low socioeconomic status student loading is calculated. *(Regulation 18)*

**Sole-provider school** means a school that has an ARIA index value of more than 5.92 or is in a remote or very remote area (as defined in the MCEETYA Geographical Location Classification issued in 2001 or in any equivalent document), and the distance between the school and any other school that provides the same level of education is more than 25 km (measured in a straight line).

**Special assistance school** means a school that is, or is likely to be, recognised by the state or territory minister for the school as a special assistance school, and primarily caters for students with social, emotional or behavioural difficulties.

**Special school** means a school that is, or is likely to be, recognised by the state or territory minister for the school as a special school, and provides education under special program mes, or special activities, designed specifically for students with disabilities.

**SRS funding amount** for 2014 is $9,271 per primary student, and $12,193 per secondary student, unless otherwise prescribed in the Regulation.

**Starting amount** in 2014 for very small schools is $10,000 for primary schools, or $20,000 for secondary schools, or as otherwise prescribed in the Regulation.

**Statement of addresses** means the statement of the residential address of each primary and secondary student at the school, excluding students who receive distance education at the school.

**State or territory minister** means the minister of the state or territory in which the school is located who has responsibility for school education.
**Statistical Area Level 1** means an area designated by the Australian Bureau of Statistics as a Statistical Area Level 1 as mentioned in the Australian Statistical Geography Standard.

**student** means a person receiving primary or secondary education at a school. Section 15 of the Act provides information on how levels of education are prescribed or determined.

**student who is a person with a disability** means a student who is:

- receiving primary or secondary education at the school on the school’s census day for the year, and
- a person with a disability as defined by the *Disability Discrimination Act 1992*, and
- a student about whom information must be provided, as specified by the *Nationally Consistent Collection of Data on School Students with Disability* (NCCD) Guidelines for the year, referred to in the Regulation as the ‘Ministerial Council disability guidelines’.

(Regulation 58A(1))

This definition relates to the NCCD. The requirement for provision of information about students who are persons with a disability is explained in the Guide in **D.2.2.4 Information on students who are persons with a disability**.

**Note:** This definition of a ‘student who is a person with a disability’ involves a different concept to that of ‘student with disability’ (below) which is used in the **student with disability loading**.

The definition used for the loading is based on the disability funding requirements of the state or territory in which a student resides, whereas the definition used for information required for the NCCD is based on the national definition of disability as set out in the *Disability Discrimination Act 1992* and the NCCD Guidelines.

Over time, the NCCD – being phased in over 2013 to 2015 – will provide relevant data on the number and distribution of students with disability within schools and the level of adjustment being provided to them. The data collected may in future, be used to help calculate the student with disability loading, subject to the agreement of education ministers.

**student with disability** means a student who meets the requirements of the state or territory in which the school is located, to receive financial assistance in relation to the student being a student with disability. This definition is used in the student with disability loading explained in the Guide in **B.2.1.2.1 Student with disability loading**.

**Note:** This definition of a ‘student with disability’ involves a different concept to that of ‘student who is a person with a disability’ (above) which is related to the *Nationally Consistent Collection of Data on School Students with Disability* (NCCD) and explained in the Guide in **D.2.2.4 Information on students who are persons with a disability**.

The definition used for the loading is based on the disability funding requirements of the state or territory in which a student resides, whereas the definition used for information required for the NCCD is based on the national definition of disability as set out in the *Disability Discrimination Act 1992* and the NCCD Guidelines.
Over time, the NCCD – being phased in over 2013 to 2015 – will provide relevant data on the number and distribution of students with disability within schools and the level of adjustment being provided to them. The data collected may in future, be used to help calculate the student with disability loading, subject to the agreement of education ministers.

**student with disability loading** means the funding loading provided for students with disability. The disability loading percentage is 223% for a special school, and 186% for any other school.

**territory** means the Australian Capital Territory or the Northern Territory.

**this Act** means the Australian Education Act 2013 and includes any regulation made under the Act.

**total entitlement** means:
- for a school in a participating state or territory, the amount payable to their state or territory, by calculating their schooling resource standard (SRS)
- for an approved authority, the amount payable to their state or territory, their schools’ SRS, taking into consideration the transitional arrangements
- for schools located in non-participating states or territories, the amount allocated to them under the Federal Financial Relations Act 2009.

**total loading** means the total of the school’s loadings the year for its:
- students with disability
- Aboriginal and Torres Strait Islander students
- students from a low socioeconomic status (SES) background
- low English proficiency
- location
- size.

**Trends in International Mathematics and Science Study** (TIMSS) involves comprehensive assessments of mathematics and science for students in Year 4 and Year 8, supported with extensive data about country, school, and classroom learning environments. TIMSS is a project of the International Association for the Evaluation of Educational Achievement and is directed by the TIMSS International Study Center at Boston College in collaboration with a worldwide network of organisations and representatives from the participating countries. The Australian Council for Educational Research (ACER) is responsible for undertaking the data collection in Australian schools.

**ungraded primary or secondary student** means a student at a special assistance school or special school who receives primary education or secondary education at a level of education that constitutes primary education or secondary education (as the case requires) for the school under section 15 of the Act.

**very remote school** means a school in a location with an ARIA index value of at least 10 and less than or equal to 15.
**very small school** means a primary school with fewer than 15 students; or a secondary school with less than 100 students; or a combined school with less than 15 multiplied by the school’s primary percentage, plus 100 multiplied by the school’s secondary percentage; or as otherwise prescribed in the Regulation.

**year** means a calendar year (except when used to refer to a year in a course of primary education or secondary education, such as ‘Year 1’ or ‘Year 10’).

**zero lower limit** means 300 students for a primary school; or 700 for a secondary school; or for a combined school, 300 multiplied by the school’s primary percentage, plus 700 multiplied by the school’s secondary percentage or as prescribed by the Regulation.
Appendix F.3: Annual timelines for payments and reporting

This appendix provides information about the annual timelines for payments and reporting:

- Timing of payments of recurrent funding to government schools
- Timing of payments of recurrent funding to non-government schools
- Changes to timing of payments due to exceptional circumstances
- Schedule for other key dates

F.3.1 Timing of payments of recurrent funding to government schools

Australian Government payments of recurrent funding for government schools will be provided to states and territories monthly. States and territories are responsible for when this funding is distributed to government schools in their jurisdiction.

F.3.2 Timing of payments of recurrent funding to non-government schools

States and territories are responsible for when recurrent funding is distributed to approved authorities for non-government schools in their jurisdiction.

<table>
<thead>
<tr>
<th>Payment</th>
<th>During the month of</th>
<th>Proportion of entitlement paid</th>
</tr>
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<tr>
<td>1st advance</td>
<td>January</td>
<td>50% of estimated entitlement</td>
</tr>
<tr>
<td>2nd advance</td>
<td>July</td>
<td>75% of estimated entitlement less payments made</td>
</tr>
<tr>
<td>Final payment</td>
<td>October</td>
<td>100% of actual entitlement less payments made</td>
</tr>
</tbody>
</table>

Note:

a) Funding adjustments made for new schools commencing outside the normal academic year will be calculated in accordance with regulation 12 which sets out the pro-rating of recurrent funding.

b) The department may recalculate the estimated (annual) entitlement for an approved authority if the authority can demonstrate that there have been changes in student numbers or characteristics that are not reflected in the data used to calculate its funding. B.2.3 Recalculation of an estimated (annual) entitlement sets out the process for requesting a recalculation.

F.3.3 Changes to timing of payments due to exceptional circumstances

Adjustments to payments of recurrent funding will normally be incorporated into the standard payment schedule.

In exceptional circumstances – normally involving the financial viability of the approved authority – an approved authority for a non-government school may ask the department to make payments earlier. Such a request must be made to the department at: GrantsandDataHelp@education.gov.au.
### F.3.4 Schedule for other key dates

<table>
<thead>
<tr>
<th>Key dates</th>
<th>Activities</th>
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</table>
| 30 June                    | Schools and Systems Financial Questionnaire – to be submitted and declared electronically and a copy of the school's auditor’s report to be provided to the department.  
Financial Acquittal – Acquittal Certificates to be completed online by the qualified accountant for the school or system (as applicable).  
Block Grant Authority Financial Accountability report to be submitted to department. |
| 1 July                     | An approved system authority must notify the department of any changes in operation (for example, schools leaving or joining the authority) by 1 July of the year before the proposed change is to commence. |
| First Friday in August     | Schools census date for non-government schools in all States.                                                                                                                                              |
| Second Friday in August    | Non-government school census declarations must be completed online through Census on the Internet on the department’s Schools Service Point.                                                              |
| Third Friday in August     | School census special circumstances applications must be completed and returned to the department.                                                                                                |
| 30 Sept                    | Annual list submitted to department by block grant authorities indicating which projects they are recommending and which projects they are not recommending.                                                   |
## Appendix F.4: Concordance between Act and Regulation

### The Australian Education Act 2013 and the Australian Education Regulation 2013

**Cross reference table or concordance**

This table sets out provisions of the *Australian Education Act 2013* that refer to regulations and the sections of the *Australian Education Regulation 2013* that apply.

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<tr>
<td>125 Making records of, using, disclosing or publishing protected information (s 125(1)(a) 125(3))</td>
<td>65 Making records of, using or disclosing protected information</td>
</tr>
<tr>
<td>130 Regulations</td>
<td>All, for example, for 130(2)(b) – matters that the decision-maker may or must have regard to in making the decision: 20 Determining SES scores by legislative instrument 25 Special circumstances funding 26 Not-for-profit requirement 27 Financial viability requirement 28 Fit-and-proper person requirement 66(4) Giving notice to persons of proposed decisions</td>
</tr>
</tbody>
</table>
Appendix F.5: Fact sheets explaining loading calculations

This appendix provides fact sheets for each of the six loadings. These fact sheets give the initial loading formula, as set out in sections 36 to 51 of the Act, followed by a series of sample calculations to show how the formula is used.

- **Students with disability** – sample calculations for loading
- **Aboriginal and Torres Strait Island students** – sample calculations for loading
- **Students with a low socioeconomic status** – sample calculations for loading
- **Students with low English proficiency** – sample calculations for loading
- **Location** – Sample calculations for loading
- **Size** – Sample calculations for loading
F.5.1 Students with disability - sample calculations for loading

The formula for calculating the student with disability loading is as follows:

\[
\text{The disability loading percentage for the school} \times \text{The SRS funding amount for the year for a student at the school} \times \text{The number of students with disability at the school for the year}
\]

*(Section 36 of the Act)*

**Note:** This amount may be rounded up or down. *(Section 56 of the Act)*

**Example 1:** A secondary special school with 20 students with disability would attract a loading of $543,808 as follows:

School’s student with disability loading – Secondary

\[
223\% \times $12,193 \times 20 = $543,808
\]

**Example 2:** A combined special school with 10 primary and 20 secondary students, all of whom have a disability, would attract a loading of $750,551 as follows:

Combined school’s SRS funding amount per student:

\[
\frac{(10 \times $9,271) + (20 \times $12,193)}{30} = $11,219
\]

School’s student with disability loading – Combined

\[
223\% \times $11,219 \times 30 = $750,551
\]

**Example 3:** A primary school (that is not a special school) with 10 students, including 2 students with disability, would attract a loading of $34,488 as follows:

School’s student with disability loading - Primary

\[
186\% \times $9,271 \times 2 = $34,488
\]
Example 4: A combined school (that is not a special school) with 10 primary and 20 secondary students, including 2 primary students and 1 secondary student with disability, would attract a loading of $62,602 as follows:

Combined school’s SRS funding amount per student:

\[
\frac{(10 \times 9,271) + (20 \times 12,193)}{30} = 11,219
\]

School’s student with disability loading - Combined

\[
186\% \times 11,219 \times 3 = 62,602
\]
F.5.2 Aboriginal and Torres Strait Islander students – sample calculations for loading

The formula for the Aboriginal and Torres Strait Islander student loading is as follows:

\[
\text{The school’s ATSI percentage for the year} \times \text{The SRS funding amount for the year for a student at the school} \times \frac{1}{5} + \frac{\text{The number of Aboriginal and Torres Strait Islander students at the school for the year}}{\text{The number of students at the school for the year}}
\]

Note: This amount may be rounded up or down. (Section 56 of the Act)

(Section 37(1) of the Act)

The formula for a school’s ATSI percentage for the year is worked out as follows:

\[
\frac{1}{5} + \frac{\text{The number of Aboriginal and Torres Strait Islander students at the school for the year}}{\text{The number of students at the school for the year}}
\]

(Section 37(2) of the Act)

Example 1: A primary school with 10 students but no Aboriginal and Torres Strait Islander students would attract no loading.

\[
\text{School’s ATSI percentage for the year} = \frac{1}{5} + \frac{0}{10} = \frac{2}{10} = 20\
\text{School’s ATSI student loading} = 20\% \times 9,271 \times 0 = 0
\]

Example 2: A primary school with 10 students of whom one is an Aboriginal and Torres Strait Islander student would attract a loading of $2,781.

\[
\text{School’s ATSI percentage for the year} = \frac{1}{5} + \frac{1}{10} = \frac{3}{10} = 30\
\text{School’s ATSI student loading} = 30\% \times 9,271 \times 1 = 2,781
\]
Example 3: A primary school with 100 students of which 20 are Aboriginal or Torres Strait Islander students would attract a loading of $74,168:

\[
\text{School’s ATSI percentage for the year} = \frac{1}{5} + \frac{20}{100} = \frac{40}{100} = 40\%
\]

\[
\text{School’s ATSI student loading} = 40\% \times 9,271 \times 20 = 74,168
\]

Example 4: A secondary school with 300 students of which 250 are Aboriginal and Torres Strait Islander students would attract a loading of $3,149,858:

\[
\text{School’s ATSI percentage for the year} = \frac{1}{5} + \frac{250}{300} = \frac{310}{300} \approx 103.3\%
\]

\[
\text{School’s ATSI Loading} = \frac{310}{300} \times 12,193 \times 250 = 3,149,858
\]

The formula for calculating the schooling resource standard (SRS) funding amount for a student at a combined school is set out in Part B.2.1.1 Funding formula for participating schools.
F.5.3 Loading for low SES students – sample calculations for loading

A school’s loading for the year for low socioeconomic status students is the amount worked out using the following formula:

\[
\text{The school’s quartile 1 amount for the year} + \text{The school’s quartile 2 amount for the year}
\]

*Note: this amount may be rounded up or down. (Section 56 of the Act)*

*(Section 38(1) of the Act)*

Quartile 1 amount and quartile 1 percentage

A school’s quartile 1 amount for a year is the amount worked out using the following formula:

\[
\text{The school’s quartile 1 percentage for the year} \times \text{The SRS funding amount for the year for a student at the school} \times \text{The number of students at the school for the year who are in quartile 1}
\]

*(Section 38(2) of the Act)*

A school’s quartile 1 percentage for a year is the lower of 50%, and the amount worked out using the following formula (expressed as a percentage):

\[
\frac{3}{20} + \left(\frac{\text{The number of students at the school for the year who are in quartile 1}}{\text{The number of students at the school for the year}} \times \frac{7}{15}\right)
\]

*(Section 38(3) of the Act)*

*Note: Sections 16 and 17 of the Act explain how to work out the number of students at a school for the year.*

Quartile 2 amount and quartile 2 percentage

A school’s quartile 2 amount for a year is the amount worked out using the following formula:

\[
\text{The school’s quartile 2 percentage for the year} \times \text{The SRS funding amount for the year for a student at the school} \times \text{The number of students at the school for the year who are in quartile 2}
\]

*(Section 38(5) of the Act)*

A school’s quartile 2 percentage for a year is the lower of 37.5%, and the amount worked out using the following formula (expressed as a percentage):

\[
\frac{3}{40} + \left(\frac{\text{The number of students at the school for the year who are in quartile 2}}{\text{The number of students at the school for the year}} \times \frac{2}{5}\right)
\]

*(Section 38(6) of the Act)*
Example 1: A primary school with 100 students and nil SEA quartile 1 students would attract no loading for those students.

\[
\text{School's quartile 1 percentage} = \frac{3}{20} + \left[ \frac{0}{100} \times \frac{7}{15} \right] = \frac{3}{20} = 15\
\]

\[
\text{School's quartile 1 amount} = 15\% \times \$9,271 \times 0 = \$0
\]

*Note: This example shows that, while the loading % rate is a positive number for this school, when applied to quartile 1 enrolments the product is zero.*

Example 2: A primary school with 100 students of which 1 is in SEA quartile 1 and none are in quartile 2 would attract a low SES student loading as follows:

\[
\text{School's quartile 1 percentage} = \frac{3}{20} + \left[ \frac{1}{100} \times \frac{7}{15} \right] = \frac{232}{1500} \approx 15.47\%
\]

\[
\text{School's quartile 1 amount} = \frac{232}{1500} \times \$9,271 \times 1 = \$1,434
\]

Example 3: A secondary school with 500 students of which 50 are in SEA quartile 1 and 75 are in quartile 2 would attract a low SES student loading totalling $243,352 (Q 1 amount plus Q 2 amount rounded to nearest dollar) comprised as follows:

\[
\text{School's quartile 1 percentage} = \frac{3}{20} + \left[ \frac{50}{500} \times \frac{7}{15} \right] = \frac{1475}{7500} \approx 19.667\%
\]

\[
\text{School's quartile 1 amount} = \frac{1475}{7500} \times \$12,193 \times 50 = \$119,897.8333
\]

plus

\[
\text{School's quartile 2 percentage} = \frac{3}{40} + \left[ \frac{75}{500} \times \frac{2}{5} \right] = \frac{675}{5000} = 13.5\%
\]
Example 4: A primary school with 200 students of which 160 are in SEA quartile 1 and 40 are in quartile 2 would attract a low SES student loading totalling $799,160 (Q 1 amount plus Q 2 amount rounded to nearest dollar) comprised as follows:

\[
\text{School's quartile 1 amount} = \frac{3}{20} + \left( \frac{160}{200} \times \frac{7}{15} \right) = \frac{1570}{3000} = 52.3\% \quad \text{(capped at 50%)}
\]

\[
\text{School's quartile 1 amount} = 50\% \times $9,271 \times 160 = $741,680
\]

plus

\[
\text{School's quartile 2 amount} = \frac{3}{40} + \left( \frac{40}{200} \times \frac{2}{5} \right) = \frac{31}{200} = 15.5\%
\]

\[
\text{School's quartile 2 amount} = 15.5\% \times $9,271 \times 40 = $57,480.20
\]

\[
\text{School's total amount} = $741,680 + $57,480.20 = $799,160
\]

The formula for calculating the schooling resource standard (SRS) funding amount for a student at a combined school is set out in Part B.2.1.1 Funding formula for participating schools.
F.5.4 Students with low English proficiency – Sample calculations for loading

A school’s low English proficiency loading for a year is the amount worked out using the following formula:

\[
\text{School’s low English proficiency loading} = 10\% \times \frac{\text{The SRS funding amount for the year for a student at the school}}{\text{The number of students at the school for the year who have low English proficiency}}
\]

*Note:* This amount may be rounded up or down. (Section 56 of the Act).

(Section 39 of the Act)

**Example 1:** A primary school with 25 disadvantaged students from a language background other than English would attract a loading of $23,178 as follows:

\[
\text{School’s low English proficiency loading} = 10\% \times 9,271 \times 25 = 23,178
\]

**Example 2:** A secondary school with 75 disadvantaged students from a language background other than English would attract a loading of $91,448 as follows:

\[
\text{School’s low English proficiency loading} = 10\% \times 12,193 \times 75 = 91,448
\]

**Example 3:** A combined school comprised of 50% primary and 50% secondary students would have an SRS funding amount per student of $10,732. If the school had 35 disadvantaged students from a language background other than English, its loading for this would be $37,562 as follows:

\[
\begin{align*}
\text{Combined school’s SRS funding amount per student:} & = \frac{(20 \times 9,271) + (20 \times 12,193)}{40} = 10,732 \\
\text{School’s low English proficiency loading} & = 10\% \times 10,732 \times 35 = 37,562
\end{align*}
\]

The formula for calculating the schooling resource standard (SRS) funding amount for a student at a combined school is set out in Part B.2.1.1 Funding formula for participating schools.
**F.5.5 Location—Sample calculations for loading**

A school’s location loading for a year is the amount worked out using the following formula from section 40 of the Act:

\[
\text{School’s location loading} = \left( \frac{\text{The school’s location percentage}}{100} \right) \times \left( \text{The SRS funding amount for the year for a student at the school} \right) \times \left( \frac{\text{The number of students at the school for the year}}{100} \right) + \text{The school’s size loading for the year}
\]

**Note 1:** To work out the number of students at a school for a year, see sections 16 and 17 of the Act.

**Note 2:** This amount may be rounded up or down (see section 56 of the Act).

**Note 3:** For the locations of a school that are covered by this Part, see section 55 of the Act.

**Major city school**

A major city school has a location percentage of zero per cent.  

*(Section 40(2) of the Act)*

**Example 1:** A school with an ARIA score of less than 1 would have a location percentage of 0%.

**Inner regional school**

The location percentage for an inner regional school is the number worked out using the following formula divided by 100 (expressed as a percentage):

\[
\frac{\text{The school’s ARIA index value} - 1}{2.4 - 1} \times 10
\]

*(Section 41(1) of the Act)*

**Example 2:** A primary school with an ARIA score of 2.00 would have a location percentage as follows:

\[
\text{School’s loading percentage} = \left( \frac{2.00 - 1}{2.4 - 1} \right) \times 10 = 7.142857143 \approx 7.14\%
\]

Based on this, and assuming that the school had enrolments of 150 students entitling it to the maximum size loading for a primary school, the school’s location loading would be:

\[
\text{School’s location loading} = \frac{7.142857143}{100} \times \left( \left\{ \frac{9.271}{150} \times 150 \right\} + 150,000 \right) = 110,046
\]
Outer regional school

The location percentage for an outer regional school is the number worked out using the following formula divided by 100 (expressed as a percentage):

\[
10 + \left( \frac{\text{The school's ARIA index value} - 2.4}{6 - 2.4} \times 20 \right)
\]  

(Section 41(2) of the Act)

Example 3: A primary school with an ARIA score of 4.00 would have a location percentage as follows:

\[
\text{School's loading percentage} = 10 + \left( \frac{4 - 2.4}{6 - 2.4} \times 20 \right) = \frac{18.8888}{100} \approx 18.89\%
\]

Based on this, and assuming that the school had enrolments of 150 students entitling it to the maximum size loading for a primary school, the school’s location loading would be:

\[
\text{School's location loading} = \frac{18.8888}{100} \times \left( \left\{ \frac{9,271}{150} \right\} + 150,000 \right) = 291,012
\]
Remote school

The location percentage for a **remote school** is the number worked out using the following formula divided by 100 (expressed as a percentage):

\[
30 + \left( \frac{\text{The school’s ARIA index value} - 6}{10 - 6} \times 40 \right)
\]

*(Section 41(3) of the Act)*

**Example 4:** A secondary school with an ARIA score of 7.24 would have a location percentage as follows:

\[
\text{School’s loading percentage} = 30 + \left( \frac{(7.24 - 6)}{(10 - 6)} \times 40 \right) = 42.4\% = 42.40\%
\]

Based on this, and assuming that the school had enrolments of 420 students entitling it to the maximum size loading for a secondary school, the school’s location loading would be:

\[
\text{School’s location loading} = 42.40\% \times \left( \$12,193 \times 420 \right) + \$240,000 = \$2,273,089
\]
Very remote school

The location percentage for a very remote school is the number worked out using the following formula divided by 100 (expressed as a percentage):

\[
70 + \left( \frac{\text{The school’s ARIA index value} - 10}{15 - 10} \times 10 \right)
\]

\((\text{Section 41(4) of the Act})\)

Example 5: A primary school with an ARIA score of 12.56 would have a location percentage as follows:

\[
\text{School’s loading percentage} = 70 + \left( \frac{12.56 - 10}{15 - 10} \times 10 \right) = \frac{75.12}{100} = 75.12\%
\]

Based on this, and assuming that the school had enrolments of 30 students entitling it to the maximum size loading for a primary school, the school’s location loading would be:

\[
\text{School’s location loading} = 75.12\% \times \left[ \left\{ \$9,271 \times 30 \right\} + \$150,000 \right] = \$321,611
\]
F.5.6 Size – Sample calculations for loading

This appendix contains information about the size loading. It comprises the following sections:

- Classifying school size
- Loading amounts
  - Large schools
  - Medium-sized schools
  - Small schools
  - Very small schools.

F.5.6.1 Classifying school size

Classifying a school as very small, small, medium or large is the first step in working out the size loading for a school.

The table below sets out the three enrolment limits for primary and secondary schools. It also includes some illustrative examples of limits for combined schools based on the selected enrolment shares set out in the examples below.

<table>
<thead>
<tr>
<th></th>
<th>Primary school</th>
<th>Secondary school</th>
<th>Combined school (examples)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>90% primary</td>
<td>50% primary</td>
<td>30% primary</td>
</tr>
<tr>
<td>Maximum lower limit</td>
<td>15</td>
<td>100</td>
<td>23.5</td>
</tr>
<tr>
<td>Maximum upper limit</td>
<td>200</td>
<td>500</td>
<td>230.0</td>
</tr>
<tr>
<td>Zero lower limit</td>
<td>300</td>
<td>700</td>
<td>340.0</td>
</tr>
</tbody>
</table>

**Example 1:** A combined school with a 90% primary percentage and a 10% secondary percentage would have a maximum lower limit of 23.5 (90% x 15 + 10% x 100) and a maximum upper limit of 230 (90% x 200 + 10% x 500). The zero lower limit would be 340 (90% x 300 + 10% x 700).

**Example 2:** A combined school with 50% primary percentage and a 50% secondary percentage would have a maximum lower limit of 57.5 (50% x 15 + 50% x 100) and a maximum upper limit of 350 (50% x 200 + 50% x 500). The zero lower limit would be 500 (50% x 300 + 50% x 700).

**Example 3:** A combined school with a 30% primary percentage and a 70% secondary percentage would have a maximum lower limit of 74.5 (30% x 15 + 70% x 100) and a maximum upper limit of 410 (30% x 200 + 70% x 500). The zero lower limit would be 580 (30% x 300 + 70% x 700).
F.5.6.2 Loading amounts
This appendix contains information about the size loading for schools of the following sizes:

- **Large schools**
- **Medium-sized schools**
- **Small schools**
- **Very small schools**.

F.5.6.2.1 Large schools
A large school attracts no size loading. *(Section 42(4) of the Act)*

F.5.6.2.2 Medium-sized schools
The size loading for a medium-sized school reduces as the school’s enrolments increase above its maximum upper limit and approach its zero lower limit.

The formula for the size loading for a medium-sized school for a year is:

\[
\text{Medium primary school size loading} = \left(\frac{\text{The school’s zero lower limit} - \text{The number of students at the school for the year}}{\text{The school’s zero lower limit} - \text{The school’s maximum upper limit}}\right) \times \text{The school’s maximum size loading for the year}
\]

*Note: To work out the number of students at a school for a year, see sections 16 and 17.* *(Section 51 of the Act)*

**Example 1:** A primary school with 275 students would attract a loading of $37,500 based on inputs as follows:

<table>
<thead>
<tr>
<th>Zero upper limit</th>
<th>300</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum upper limit</td>
<td>200</td>
</tr>
<tr>
<td>Number of students</td>
<td>275</td>
</tr>
<tr>
<td>Maximum size loading</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

\[
\text{Medium primary school size loading} = \left(\frac{300 - 275}{300 - 200}\right) \times 150,000 = 37,500
\]
Example 2: A secondary school with 550 students would attract a loading of $180,000 based on inputs as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero upper limit</td>
<td>700</td>
</tr>
<tr>
<td>Maximum upper limit</td>
<td>500</td>
</tr>
<tr>
<td>Number of students</td>
<td>550</td>
</tr>
<tr>
<td>Maximum size loading</td>
<td>$240,000</td>
</tr>
</tbody>
</table>

Medium secondary school size loading = \[
\frac{700 - 550}{700 - 500} \times 240,000 = 180,000
\]

Example 3: A combined school with 500 students and a 30% primary percentage and a 70% secondary percentage would attract a loading of $100,235 based on inputs as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero upper limit</td>
<td>580</td>
</tr>
<tr>
<td>Maximum upper limit</td>
<td>410</td>
</tr>
<tr>
<td>Number of students</td>
<td>500</td>
</tr>
<tr>
<td>Maximum size loading</td>
<td>$213,000</td>
</tr>
</tbody>
</table>

Medium combined school size loading = \[
\frac{580 - 500}{580 - 410} \times 213,000 = 100,235
\]

F.5.6.2.3 Small schools

A small school attracts the maximum size loading for a school of its type.

In 2014, the loading will be $150,000 for a primary school and $240,000 for a secondary school. *(Section 44(1) of the Act).*

For example:

- Three primary schools with 15, 100 and 200 students respectively would all be classified as small schools and attract the same primary size loading amount of $150,000.
- Three secondary schools with 100 and 300 and 500 students respectively would all be classified as small schools and attract the same secondary size loading amount of $240,000.

A small combined school attracts a maximum size loading proportional to its primary and secondary enrolment percentages. *(Section 44(4) of the Act)*
A combined school’s maximum size loading for a year is the amount worked out using the formula below:

\[
\text{The maximum size loading for a primary school for the year} \times \frac{\text{The school’s primary percentage for the year}}{100} + \text{The maximum size loading for a secondary school for the year} \times \frac{\text{The school’s secondary percentage for the year}}{100}
\]

*(Section 44(4) of the Act)*

The following examples set out how the loading for a combined school is calculated:

**Example 1:** For combined schools with a 90% primary percentage and a 10% secondary percentage, the maximum size loading would be $159,000 (90% x $150,000 + 10% x $240,000).

**Example 2:** For combined schools with a 30% primary percentage and a 70% secondary percentage, the maximum size loading would be $213,000 (30% x $150,000 + 70% x $240,000).

**F.5.6.2.4 Very small schools**

The size loading for a *very small school* also takes into account the location of the school based on its ARIA index value:

- **a)** schools with an ARIA value of 10 or more attract the maximum size loading at all enrolment levels. The loading for these schools is calculated in the same way as that for small schools, and
- **b)** other schools attract a size loading between the minimum and the maximum depending on their size and location.

The arrangements for very small schools, other than those which are very remote, involve the additional concepts set out in the following table and figure:

<table>
<thead>
<tr>
<th>Concept</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>School starting amount</strong></td>
<td>The amount of size loading that a primary, secondary or combined school can attract if it has only one (1) student. In 2014, this is $10,000 for a primary school and $20,000 for a secondary school <em>(Section 49(1) of the Act).</em> The formula for working out the starting amount for a combined school is set out in section 49(4) of the Act.</td>
</tr>
<tr>
<td><strong>Increased starting amount</strong></td>
<td>The increased starting amount is the school starting amount for a school with an ARIA index value from 1 up to 10. The increased starting amount is derived by increasing the school’s starting amount as its ARIA index value increases so that more remote schools progressively get a larger size loading at the smallest enrolment levels. Once the school’s ARIA index value reaches 10 (very remote), the starting amount is the maximum size loading. For combined schools it is the average of</td>
</tr>
</tbody>
</table>

Concept | Explanation
--- | ---
the primary and secondary school increased starting amounts for the same ARIA index value weighted according to the school’s primary and secondary percentage enrolment shares. The formula for working out the increased starting amount is set out in section 47(2) of the Act.

ARIA index value | A school’s ARIA index value is the average ARIA+ score for the Statistical Area Level 1 in which the school is located. *(Regulation 14).*

ARIA student number | The number of students at which a very small school may become entitled to the maximum applicable size loading for a school of its type. The ARIA student number is derived by reducing the school’s maximum lower limit as the school’s ARIA index value increases from 1 up to 10 so that more remote schools attract the full size loading at progressively smaller enrolment levels.

For combined schools it is the average of the primary and secondary school ARIA student numbers for the same ARIA index value weighted according to the school’s primary and secondary percentage enrolment shares. The formula for working out the ARIA student number is set out in section 50 of the Act.

---

**Figure 5: Loading for very small schools**

- Schools with an ARIA index value of 10 or greater attract the full size loading at all enrolment levels.
- Schools with an ARIA index value of 1 or less have the same maximum lower threshold as larger schools.

As ARIA increases from 1 to 10 the school starting amount is increased towards the maximum and the ARIA student number is reduced towards 1.
**Example calculations**

**School starting amount**

In 2014, the school starting amount is $10,000 for a very small primary school and $20,000 for a very small secondary school. For a very small combined school it is the weighted average of the primary and secondary amounts as set out in the following examples:

**Example 1:** A very small combined school with a 90% primary percentage and a 10% secondary percentage, would have a school starting amount of $11,000 (90% x $10,000 + 10% x $20,000).

**Example 2:** A very small combined school with a 30% primary percentage and a 70% secondary percentage, would have a school starting amount of $17,000 (30% x $10,000 + 70% x $20,000).

**Increased starting amount**

For a school with an ARIA index value of exactly 1, the increased starting amount is identical to the school’s starting amount.

For a school with an ARIA index value of exactly 10, the increased starting amount is identical to the school’s maximum loading amount.

As shown in the examples below, a school’s starting amount is increased towards the maximum size loading as the school’s ARIA index value increases above 1. Once the school’s ARIA index value reaches 10 (very remote), the starting amount is the maximum size loading.

The increased starting amount for any very small school with an ARIA index value between 1 and 10 is calculated as follows:

\[
\text{Increased starting amount} = \text{School starting amount} + \left( \frac{\text{School's ARIA index value} - 1}{10 - 1} \right) \times \left( \text{School's maximum size loading} - \text{School's starting amount} \right)
\]

*(Section 47(2) of the Act)*

**Example 1:** A very small primary school with an ARIA index value of 5.21 would have an increased starting amount of $75,489.

\[
\text{Increased starting amount} = \$10,000 + \left( \frac{(5.21 - 1)}{10 - 1} \right) \times \left( \$150,000 - \$10,000 \right) = \$75,489
\]
Example 2: A very small secondary school with an ARIA index value of 3.70 would have an increased starting amount of $86,000.

\[
\text{Increased starting amount} = \$20,000 + \left(\frac{(3.70 - 1)}{(10 - 1)}\right) \times (\$240,000 - \$20,000)
\]

\[
= \$20,000 + \frac{(3.70 - 1)}{(10 - 1)} \times (\$220,000) = \$86,000
\]

Example 3: A very small combined school with an ARIA index value of 8.35 and a 30% primary percentage and 70% secondary percentage would have an increased starting amount of $177,067.

\[
\text{Increased starting amount} = \$17,000 + \left(\frac{(8.35 - 1)}{(10 - 1)}\right) \times (\$213,000 - \$17,000)
\]

\[
= \$17,000 + \frac{(8.35 - 1)}{(10 - 1)} \times (\$196,000) = \$177,067
\]

ARIA student number

The ARIA student number is the number of students at which a very small school may become entitled to the maximum applicable size loading for a school of its type. As the ARIA index value of a school increases from 1 up to 10, the ARIA student number is reduced down to 1 student. This means that more remote schools attract the full size loading at progressively smaller enrolment levels. Schools with an ARIA index value of 10 or greater attract the maximum size loading regardless of enrolments. Note that:

a) For a school with an ARIA index value of exactly 1, the ARIA student number is identical to the school’s maximum lower limit.

b) For a school with an ARIA index value of exactly 10, the ARIA student number is 1.

The ARIA student number for any very small school with an ARIA index value between 1 and 10 is calculated as follows:

\[
\text{ARIA student number} = 15 - \left(\frac{\text{The school’s maximum lower limit} - \text{ARIA index value}}{10 - 1}\right)
\]

Example 1: A very small primary school with an ARIA index value of 5.21 would have an ARIA student number of 8.45.

\[
\text{ARIA student number} = 15 - \left(\frac{(15 - 1) \times (5.21 - 1)}{(10 - 1)}\right) = \approx 8.451111
\]
**Example 2:** A very small secondary school with an ARIA index value of 3.70 would have an ARIA student number of 70.3.

\[
\text{ARIA student number} = 100 - \left[ (100 - 1) \times \frac{(3.70 - 1)}{(10 - 1)} \right] = 70.3
\]

**Example 3:** A very small combined school with an ARIA index value of 8.35 and a 30% primary percentage and 70% secondary percentage would have an ARIA student number of 14.48.

\[
\text{ARIA student number} = 74.5 - \left[ (74.5 - 1) \times \frac{(8.35 - 1)}{(10 - 1)} \right] = 14.475
\]
**Loading amounts – Very small schools**

The following table sets out the application of size loadings for very small schools in relation to their ARIA index value (how remote they are).

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>a very remote school</td>
<td>the school’s maximum size loading for the year.</td>
</tr>
</tbody>
</table>
| 2    | a school that:  
   a) is not a very remote school or a major city school; and  
   b) has more students at the school for the year than the school’s ARIA student number | the school’s maximum size loading for the year. |
| 3    | a school that is not covered by Item 1, 2 or 4 | the amount worked out under section 47 of the Act. |
| 4    | a major city school | the amount worked out under section 48 of the Act. |

Note: The school’s ARIA student number is a number of students worked out for the school under section 50 of the Act by reference to the school’s ARIA index value.

The four groups of very small schools – to which the above concepts are applied in calculating their school size loading – comprise:

a) **Item 1 schools** – very remote schools with an ARIA index value of at least 10
b) **Item 2 schools** – those with an ARIA index value from 1 up to less than 10, with enrolments greater than the school’s ARIA student number and up to its maximum lower limit
c) **Item 3 schools** – those with an ARIA index value from 1 up to less than 10, with enrolments up to the school’s ARIA student number
d) **Item 4 schools** – those with an ARIA index value of less than 1 (referred to as major city schools).

**Item 1 schools**

**Item 1 schools**, that is, schools with an ARIA value of 10 or more, attract the maximum size loading at all enrolment levels.

**Item 2 schools**

**Item 2 schools** also attract the maximum size loading. The loading for these schools is calculated in the same way as that for a *small school* outlined above.
**Item 3 schools**

*Item 3 schools* attract a size loading that is prorated from the increased starting amount up to the maximum loading which applies once the school’s enrolments reach its ARIA student number.

The formula for calculating the size loading for an Item 3 school is as follows:

\[
\text{School size loading} = \text{The school’s increased starting amount for the year} + \left( \frac{\text{The school’s maximum size loading for the year} - \text{The school’s increased starting amount for the year}}{\text{The school’s ARIA student number} - 1} \right) \times (\text{The number of students at the school for the year} - 1)
\]

*Note: To work out the number of students at a school for a year, see sections 16 and 17 of the Act.*

(Section 47(1) of the Act)

This formula means that the school’s size loading depends on the extent to which its enrolments approach its ARIA student number. The school receives at least the increased starting amount and, as its enrolments approach closer to its ARIA student number, the size loading is increased towards the maximum.

The following examples set out the calculations for an Item 3 school.

**Example 1:** A very small primary school with an ARIA index value of 5.21 would have an ARIA student number of 8.45 and an increased starting amount of $75,489 as previously calculated above. If the school had 7 enrolled students its size loading would be calculated as follows:

\[
\text{School size loading} = 75,489 + \left( \frac{150,000 - 75,489}{8.451111 - 1} \right) \times (7 - 1) = 135,489
\]

**Example 2:** A very small secondary school with an ARIA index value of 3.70 would have an ARIA student number of 70.3 and an increased starting amount of $86,000 as previously calculated above. If the school had 60 enrolled students its size loading would be calculated as follows:

\[
\text{School size loading} = 86,000 + \left( \frac{240,000 - 86,000}{70.3 - 1} \right) \times (60 - 1) = 217,111
\]
Example 3: A very small combined school with an ARIA index value of 8.35 and a 30% primary percentage and 70% secondary percentage would have an ARIA student number of 14.48 and an increased starting amount of $177,067 as previously calculated above. If the school had 11 enrolled students its size loading would be calculated as follows:

\[
\text{School size loading} = \$177,067 + \left( \frac{\left(\$213,000 - \$177,067\right) \times \left(11 - 1\right)}{\left(14.475 - 1\right)} \right) = \$203,733
\]

Item 4 schools

Item 4 schools also attract a size loading that is prorated similarly to Item 3 schools, but there is no adjustment to the starting amount or the maximum lower limit based on the school’s ARIA score.

The formula for calculating the loading for an Item 4 school.

\[
\text{School size loading} = \text{The school’s starting amount for the year} + \left( \frac{\left(\text{The school’s maximum size loading for the year} - \text{The school’s starting amount for the year}\right) \times \left(\frac{\text{The number of students at the school for the year} - 1}{\text{The school’s maximum lower limit} - 1}\right)}{\left(\text{The number of students at the school for the year} - 1\right)} \right)
\]

Note: To work out the number of students at a school for a year, see sections 16 and 17 of the Act).

(Section 48 of the Act)

This formula means that the school’s size loading depends on the extent to which its enrolments approach its maximum lower limit. The school receives at least the starting amount and, as its enrolments approach closer to its maximum lower limit, the size loading is increased towards the maximum. The following examples set out the calculation for an Item 4 school.

Example 1: A very small primary school with an ARIA index value of 0.50 would have a school starting amount of $10,000 and a maximum size loading of $150,000. If the school had 8 enrolled students its size loading would be calculated as follows:

\[
\text{School size loading} = \$10,000 + \left( \frac{\left(\$150,000 - \$10,000\right) \times \left(8 - 1\right)}{\left(15 - 1\right)} \right) = \$80,000
\]
Example 2: A very small secondary school with an ARIA index value of 0.50 would have a school starting amount of $20,000 and a maximum size loading of $240,000. If the school had 78 enrolled students its size loading would be calculated as follows:

\[
\text{School size loading} = \$20,000 + \left[ \frac{\left(\$240,000 - \$20,000\right) \times \left(78 - 1\right)}{\left(100 - 1\right)} \right] = \$191,111
\]

Example 3: A very small combined school with an ARIA index value of 0.5 and a 30% primary percentage and 70% secondary percentage would have a maximum lower limit of 74.5 and a school starting amount of $17,000 as previously calculated above. If the school had 51 enrolled students its size loading would be calculated as follows:

\[
\text{School size loading} = \$17,000 + \left[ \frac{\left(\$213,000 - \$17,000\right) \times \left(51 - 1\right)}{\left(74.5 - 1\right)} \right] = \$150,333
\]
Appendix F.6: Capacity to contribute percentage

**Legislative background:** Section 54 of the Act.

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1 SES score</th>
<th>Column 2 Primary school</th>
<th>Column 3 Secondary school</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>93 or lower</td>
<td>10.00</td>
<td>10.00</td>
</tr>
<tr>
<td>2</td>
<td>94</td>
<td>10.29</td>
<td>12.19</td>
</tr>
<tr>
<td>3</td>
<td>95</td>
<td>10.57</td>
<td>14.38</td>
</tr>
<tr>
<td>4</td>
<td>96</td>
<td>10.86</td>
<td>16.56</td>
</tr>
<tr>
<td>5</td>
<td>97</td>
<td>11.14</td>
<td>18.75</td>
</tr>
<tr>
<td>6</td>
<td>98</td>
<td>11.43</td>
<td>20.94</td>
</tr>
<tr>
<td>7</td>
<td>99</td>
<td>11.71</td>
<td>23.13</td>
</tr>
<tr>
<td>8</td>
<td>100</td>
<td>12.00</td>
<td>25.31</td>
</tr>
<tr>
<td>9</td>
<td>101</td>
<td>13.50</td>
<td>27.50</td>
</tr>
<tr>
<td>10</td>
<td>102</td>
<td>15.00</td>
<td>29.69</td>
</tr>
<tr>
<td>11</td>
<td>103</td>
<td>16.50</td>
<td>31.88</td>
</tr>
<tr>
<td>12</td>
<td>104</td>
<td>18.00</td>
<td>34.06</td>
</tr>
<tr>
<td>13</td>
<td>105</td>
<td>19.50</td>
<td>36.25</td>
</tr>
<tr>
<td>14</td>
<td>106</td>
<td>21.00</td>
<td>38.44</td>
</tr>
<tr>
<td>15</td>
<td>107</td>
<td>22.50</td>
<td>40.63</td>
</tr>
<tr>
<td>16</td>
<td>108</td>
<td>24.00</td>
<td>42.81</td>
</tr>
<tr>
<td>17</td>
<td>109</td>
<td>25.50</td>
<td>45.00</td>
</tr>
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<td>18</td>
<td>110</td>
<td>27.00</td>
<td>47.19</td>
</tr>
<tr>
<td>19</td>
<td>111</td>
<td>29.60</td>
<td>49.38</td>
</tr>
<tr>
<td>20</td>
<td>112</td>
<td>32.20</td>
<td>51.56</td>
</tr>
<tr>
<td>21</td>
<td>113</td>
<td>34.80</td>
<td>53.75</td>
</tr>
<tr>
<td>22</td>
<td>114</td>
<td>37.40</td>
<td>55.94</td>
</tr>
<tr>
<td>23</td>
<td>115</td>
<td>40.00</td>
<td>58.13</td>
</tr>
<tr>
<td>24</td>
<td>116</td>
<td>42.60</td>
<td>60.31</td>
</tr>
<tr>
<td>25</td>
<td>117</td>
<td>45.20</td>
<td>62.50</td>
</tr>
<tr>
<td>26</td>
<td>118</td>
<td>47.80</td>
<td>64.69</td>
</tr>
<tr>
<td>27</td>
<td>119</td>
<td>50.40</td>
<td>66.88</td>
</tr>
<tr>
<td>28</td>
<td>120</td>
<td>53.00</td>
<td>69.06</td>
</tr>
<tr>
<td>29</td>
<td>121</td>
<td>58.40</td>
<td>71.25</td>
</tr>
<tr>
<td>30</td>
<td>122</td>
<td>63.80</td>
<td>73.44</td>
</tr>
<tr>
<td>31</td>
<td>123</td>
<td>69.20</td>
<td>75.63</td>
</tr>
<tr>
<td>32</td>
<td>124</td>
<td>74.60</td>
<td>77.81</td>
</tr>
<tr>
<td>33</td>
<td>125 or higher</td>
<td>80.00</td>
<td>80.00</td>
</tr>
</tbody>
</table>
## Appendix F.7: Table of national assessments

**Legislative background:** Regulation 43.

<table>
<thead>
<tr>
<th>Item</th>
<th>Item Description</th>
<th>Column 2: How frequently the assessments must be undertaken</th>
<th>Column 3: Who must undertake the assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>NAP annual assessment in reading, writing and language conventions</td>
<td>Once a year</td>
<td>Students in each of Years 3, 5, 7 and 9</td>
</tr>
<tr>
<td>2</td>
<td>NAP annual assessment in numeracy</td>
<td>Once a year</td>
<td>Students in each of Years 3, 5, 7 and 9</td>
</tr>
<tr>
<td>3</td>
<td>NAP sample assessment in science literacy</td>
<td>Once in 2015</td>
<td>Selected students in Year 6</td>
</tr>
<tr>
<td>4</td>
<td>NAP sample assessment in civics and citizenship</td>
<td>Once every 3 years beginning in 2016</td>
<td>Selected students in Years 6 and 10</td>
</tr>
<tr>
<td>5</td>
<td>NAP sample assessment in ICT literacy</td>
<td>Once every 3 years beginning in 2014</td>
<td>Selected students in Years 6 and 10</td>
</tr>
<tr>
<td>6</td>
<td>PISA assessment in reading, mathematical and scientific literacy and collaborative problem solving</td>
<td>Once every 3 years beginning in 2015</td>
<td>Selected students aged 15</td>
</tr>
<tr>
<td>7</td>
<td>TIMSS mathematics and science assessment</td>
<td>Once every 4 years beginning in 2015</td>
<td>Selected students in Years 4 and 8</td>
</tr>
</tbody>
</table>
Appendix F.8: School information collection requirements

Legislative background: Regulations 55, 56 and 57 set out the information to be provided by approved authorities in relation to each of their schools for use on the My School website. Regulation 55 sets out the general information required about each school. Regulation 56 sets out the information required about the students in each school. Section 57 sets out the information requirements in respect of each secondary school or combined school.

The purpose of this table is to provide detailed information for approved authorities about the school information collection requirements.

Each of the items in the table below is for publishing on the My School website. Note that other data reported on My School is collected under regulations 46 to 51 as information relating to a school’s census. Many of the requirements are also reported in other national reports such as the Report on Government Services and the National Report on Schooling in Australia.

In many cases, the information listed for collection in the table below is already being collected by the Australian Curriculum, Assessment and Reporting Authority (ACARA). An approved authority for a school must ensure that the school continues to provide information to ACARA in accordance with the Act and Regulation and as specified in this Guide.

<table>
<thead>
<tr>
<th>Reg</th>
<th>Information required</th>
<th>Collection and other details</th>
</tr>
</thead>
<tbody>
<tr>
<td>55</td>
<td>a) a short statement about the school that may include information about any of the following matters: • the school’s mission • the school’s values • the school’s focus • the school’s philosophy • the school’s achievements • the school’s curriculum strengths • any specialist programmes offered by the school • any student welfare programmes offered by the school • any extra curricular activities offered by the school • affiliations (if any) of the school</td>
<td>An approved authority for a school must ensure that the school provides this short descriptive statement to the Australian Curriculum, Assessment and Reporting Authority (ACARA) through an online portal. It appears on a school’s profile page on the My School website. Education ministers agreed to this information being published on My School on 17 April 2009. The information has been collected and published on the My School website by ACARA since 2010.</td>
</tr>
<tr>
<td></td>
<td>b) whether the school is part of the Catholic school sector, the independent school sector or the government school sector</td>
<td>Education ministers agreed on 17 April 2009 for this information to be published on My School. The information is already collected, and has been published on My School by ACARA since 2010.</td>
</tr>
<tr>
<td>Reg</td>
<td>Information required</td>
<td>Collection and other details</td>
</tr>
<tr>
<td>-----</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
|     | c) the number of teaching staff at the school during the reporting period, including the number of teaching staff, and full-time-equivalent teaching staff, at the school | For the non-government sector, information is provided through the annual schools census. *(Regulations 49 and 50)*  
For the government sector, information is provided to ACARA by state and territory education authorities. |
|     | d) the number of staff who are not teaching staff at the school during the reporting period, including the number of full-time-equivalent staff who are not teaching staff at the school | Education ministers agreed on 17 April 2009 to publication of this information on *My School.*  
The information is already collected, and has been published on *My School* by ACARA since 2010.  
Education ministers agreed that teacher qualifications would be published subject to new national certification/registration standards being developed. The *Australian Professional Standards for Teachers* are being implemented.  
For the non-government sector, this information is provided through the annual schools census. *(Regulations 49 and 50)*  
For the government sector, information is provided to ACARA by state and territory education authorities. |
|     | e) a statement about whether students, parents and teachers were satisfied with the school during the reporting period, including (if applicable) data collected using the *National School Opinion Survey* | Education ministers agreed to a national satisfaction survey on 17 April 2009. National parent and student items were agreed by education ministers in April 2012.  
Provision of information about satisfaction was also a requirement under the National Education Agreement and *Schools Assistance Act 2008.*  
This information is not currently published in any national reports.  
ACARA has developed national items that form the *National School Opinion Survey.* Schools can use these national items to meet their existing school satisfaction reporting |
<table>
<thead>
<tr>
<th>Reg</th>
<th>Information required</th>
<th>Collection and other details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>requirements. A survey tool, School Survey, has been developed to collect National School Opinion Survey data, available for use by schools from August 2013.</td>
</tr>
<tr>
<td>f)</td>
<td>a statement of the financial information for a school during the reporting period that complies with the 2011 Financial Data Reporting Methodology developed by the My School ACARA Finance Data Working Group</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Education ministers agreed to this collection on 17 April 2009, and subsequently to the methodology for reporting of financial data. The information is already collected, and has been published on My School by ACARA since 2011.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>For the non-government sector, this information is collected through the department’s Financial Questionnaire. Requirements for this collection are set out in regulation 36.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>For the government sector, state education authorities provide information directly to ACARA.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Note: This Methodology is available on the ACARA website.</td>
</tr>
<tr>
<td>56</td>
<td>a) the total number of full-time-equivalent students at the school during the reporting period</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Education ministers on 17 April 2009 agreed to publication on My School of this information. The information is already collected, and has been published on My School by ACARA since 2010.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>This was also a requirement under the National Education Agreement and the Schools Assistance Act 2008.</td>
</tr>
<tr>
<td></td>
<td>b) the number of students at the school during the reporting period who have a language background other than English</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Education ministers agreed on 17 April 2009 to publication on My School of this information. The information is already collected, and has been published on My School by ACARA since 2011.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>This was also a requirement under the National Education Agreement and the Schools Assistance Act 2008.</td>
</tr>
<tr>
<td>Reg</td>
<td>Information required</td>
<td>Collection and other details</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td></td>
<td><strong>c) the attendance rate</strong> for students at the school during the reporting period</td>
<td>Language background other than English information is collected through NAPLAN processes. It is provided to ACARA by test administration authorities.</td>
</tr>
<tr>
<td></td>
<td><strong>(d) the attendance rate</strong> for each of the following categories during the reporting period:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) sex</td>
<td>Education ministers agreed on 17 April 2009 to publication of this information on My School. The information is already collected, and has been published on the My School website by ACARA since 2010.</td>
</tr>
<tr>
<td></td>
<td>ii) year of schooling</td>
<td>This was also a requirement under the National Education Agreement and under the Schools Assistance Act 2008.</td>
</tr>
<tr>
<td></td>
<td>iii) Aboriginal and Torres Strait Islander students</td>
<td>For the non-government sector, attendance data is collected on behalf of schools through the department’s student attendance collection process. Schools can provide information through the department’s Schools Service Point online portal.</td>
</tr>
<tr>
<td></td>
<td><strong>e) student results</strong>, which do not identify students, from each of the NAP annual assessments at the school in each of years required to undertake the assessments.</td>
<td>Information is provided in July each year relating to attendance over the first half of the school year. The department notifies schools ahead of the collection period and provides full details about how to provide the data. Support via a phone helpline is also provided. The department then passes the information to ACARA.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Government schools provide information in accordance with collection procedures organised by the education department in their jurisdiction, which then passes on information to ACARA.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reg</th>
<th>Information required</th>
<th>Collection and other details</th>
</tr>
</thead>
</table>
| 57  | a) the number of students at the school who **participated in vocational education and training** during the reporting period, including for each of those students:  
  i) the number who were enrolled in a vocational educational and training course (if any)  
  ii) the number of vocational educational and training qualifications (if any) that were completed  
  iii) the level of vocational educational and training qualifications (if any) that were completed  
  iv) the industry with which each vocational education and training course enrolled in was associated | Education ministers agreed on 17 April 2009 to publication of this information on [My School](http://my.school.edu.au), with subsequent decision early in 2010 to interim measures for the first year. Further decisions by education ministers to determine final measures were made on 8 July 2011 and 3 August 2012.  
  Vocational education and training (VET) information has been collected and published by ACARA since 2011.  
  This information is collected by ACARA from state and territory education authorities. |
|     | b) the number of students at the school who undertook a **school-based apprenticeship** during the reporting period | Education ministers agreed to publication of this information on [My School](http://my.school.edu.au) on 17 April 2009. The information is already collected, and has been published on [My School](http://my.school.edu.au) by ACARA since 2011.  
  This information is collected from education authorities in each state and territory. |
|     | c) the number of students at the school who undertook a **school-based traineeship** during the reporting period | Education ministers agreed on 17 April 2009 to publication of this information on [My School](http://my.school.edu.au) when available.  
  ACARA’s Senior Secondary Outcomes Working Group has been tasked with developing this indicator to enable nationally consistent reporting in the future.  
  The current senior secondary measures published on [My School](http://my.school.edu.au) are:  
  - Senior Secondary Certificate Awarded  
  - Completed Senior Secondary School. |
<p>|     | d) the number of students at the school who <strong>attained Year 12</strong> or an equivalent qualification during the reporting period | Education ministers agreed on 17 April 2009 to publication of this information when available. |
|     | e) the number of students at the school who at the end of their schooling <strong>completed a qualification other than Year 12</strong> or an equivalent qualification during | Education ministers agreed on 17 April 2009 to publication of this information when available. |</p>
<table>
<thead>
<tr>
<th>Reg</th>
<th>Information required</th>
<th>Collection and other details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>the reporting period</td>
<td>Subsequent development of the measure is being pursued, for future decisions by education ministers. Regulation 57(d) gives the current <em>My School</em> measures for senior secondary outcomes. ACARA’s Senior Secondary Outcomes Working Group has been tasked with developing this indicator to enable nationally consistent reporting.</td>
</tr>
<tr>
<td></td>
<td>f) a statement of the <strong>tertiary entrance results</strong> (if any) of students at the school after the end of the students’ schooling</td>
<td>Education ministers agreed on 17 April 2009 to publication of this information when available. Subsequent development of the measure is being pursued, for future decisions by education ministers. ACARA’s Senior Secondary Outcomes Working Group has been tasked with developing this indicator to enable nationally consistent reporting.</td>
</tr>
<tr>
<td></td>
<td>g) a statement of the <strong>destination</strong> of students at the school after the end of the students’ schooling.</td>
<td>Education ministers agreed on 17 April 2009 to publication of this information (where available) on <em>My School</em>. ACARA currently publishes this information on <em>My School</em>, collecting it from schools and systems where the information is available. Four states/territories provide this information (Qld, Vic, WA, ACT), which is drawn from surveys conducted in their jurisdiction. ACARA’s Senior Secondary Outcomes Working Group is considering how post-school destinations may be reported nationally.</td>
</tr>
</tbody>
</table>
Appendix F.9: Table of reviewable decisions

Section 118 of the Act indicates that that each of the decisions referred to in column 1 of the following table is a *reviewable decision*.

<table>
<thead>
<tr>
<th>Item</th>
<th>Column 1 - Reviewable decision</th>
<th>Provision under which the reviewable decision is made</th>
<th>Relevant person for the reviewable decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>To refuse to determine that a person receives primary education or secondary education at a school</td>
<td>Subsection 10(2)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>2</td>
<td>To determine a different level of education for a special school, special assistance school or student at a special school or special assistance school</td>
<td>Subsection 15(3)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>3</td>
<td>To determine a total entitlement for a school for a year if the amount of financial assistance to which the determination relates is payable under Division 2 of Part 3</td>
<td>Subsection 26(4)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>3A</td>
<td>To determine a total entitlement for an approved authority for a year if the amount of financial assistance to which the determination relates is payable under Division 5 of Part 3</td>
<td>Subsection 26(4)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>4</td>
<td>To determine a school’s SES score</td>
<td>Subsection 52(3)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>5</td>
<td>To refuse to approve a person as an approved authority for a school</td>
<td>Subsection 73(1)</td>
<td>The person</td>
</tr>
<tr>
<td>6</td>
<td>To refuse to approve a person as an approved authority for a location of a school or a level of education at a location of a school</td>
<td>Subsection 73(1)</td>
<td>The person</td>
</tr>
<tr>
<td>7</td>
<td>To make an approval of an approved authority subject to conditions</td>
<td>Subsection 73(3)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>8</td>
<td>To specify a day on and after which an approval of an approved authority is in force (other than in accordance with an application by the authority)</td>
<td>Subsection 73(5)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>Item</td>
<td>Column 1 - Reviewable decision</td>
<td>Provision under which the reviewable decision is made</td>
<td>Relevant person for the reviewable decision</td>
</tr>
<tr>
<td>------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9</td>
<td>To vary or revoke an approval of an approved authority for one or more schools (other than in accordance with an application by the authority or under paragraph 81(1)(c))</td>
<td>Section 80 or paragraph 81(1)(a), (b) or (d)</td>
<td>The approved authority (or former approved authority)</td>
</tr>
<tr>
<td>10</td>
<td>To refuse to vary or revoke an approval of an approved authority</td>
<td>Section 80</td>
<td>The approved authority</td>
</tr>
<tr>
<td>11</td>
<td>To specify in a variation or revocation of an approval of an approved authority a day on which the variation or revocation takes effect that is earlier than the day the Minister varies or revokes the approval and that is not in accordance with an application by the authority</td>
<td>Subsection 80(4) or 81(5)</td>
<td>The approved authority (or former approved authority)</td>
</tr>
<tr>
<td>12</td>
<td>To refuse to approve a person as a block grant authority for a school</td>
<td>Subsection 83(1)</td>
<td>The person</td>
</tr>
<tr>
<td>13</td>
<td>To make an approval of a block grant authority subject to conditions</td>
<td>Subsection 83(3)</td>
<td>The block grant authority</td>
</tr>
<tr>
<td>14</td>
<td>To specify a day on and after which an approval of a block grant authority is in force (other than in accordance with an application by the authority)</td>
<td>Subsection 83(4)</td>
<td>The block grant authority</td>
</tr>
<tr>
<td>15</td>
<td>To vary or revoke an approval of a block grant authority for one or more schools (other than in accordance with an application by the authority)</td>
<td>Section 87 or subsection 88(1)</td>
<td>The block grant authority (or former block grant authority)</td>
</tr>
<tr>
<td>16</td>
<td>To refuse to vary or revoke an approval of a block grant authority</td>
<td>Section 87</td>
<td>The block grant authority</td>
</tr>
<tr>
<td>17</td>
<td>To specify in a variation or revocation of an approval of a block grant authority a day on which the variation or revocation takes effect that is earlier than the day the Minister varies or revokes the approval and that is not in accordance with an application by the authority</td>
<td>Subsection 87(4) or 88(5)</td>
<td>The block grant authority (or former block grant authority)</td>
</tr>
<tr>
<td>Item</td>
<td>Column 1 - Reviewable decision</td>
<td>Provision under which the reviewable decision is made</td>
<td>Relevant person for the reviewable decision</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>18</td>
<td>To refuse to approve a person as a non-government representative body for a non-government school</td>
<td>Subsection 91(1)</td>
<td>The person</td>
</tr>
<tr>
<td>19</td>
<td>To make an approval of a non-government representative body subject to conditions</td>
<td>Subsection 91(2)</td>
<td>The non-government representative body</td>
</tr>
<tr>
<td>20</td>
<td>To specify a day on and after which an approval of a non-government representative body is in force (other than in accordance with an application by the body)</td>
<td>Subsection 91(3)</td>
<td>The non-government representative body</td>
</tr>
<tr>
<td>21</td>
<td>To vary or revoke an approval of a non-government representative body (other than in accordance with an application by the body)</td>
<td>Section 95 or subsection 96(1)</td>
<td>The non-government representative body (or former non-government representative body)</td>
</tr>
<tr>
<td>22</td>
<td>To refuse to vary or revoke an approval of a non-government representative body</td>
<td>Section 95</td>
<td>The non-government representative body</td>
</tr>
<tr>
<td>23</td>
<td>To specify in a variation or revocation of an approval of a non-government representative body a day on which the variation or revocation takes effect that is earlier than the day the Minister varies or revokes the approval and that is not in accordance with an application by the body</td>
<td>Subsection 95(4) or 96(4)</td>
<td>The non-government representative body (or former non-government representative body)</td>
</tr>
<tr>
<td>24</td>
<td>To give a direction to an approved authority in relation to an implementation plan</td>
<td>Section 105</td>
<td>The approved authority</td>
</tr>
<tr>
<td>25</td>
<td>To determine that a state or territory pay to the Commonwealth a specified amount</td>
<td>Paragraph 110(1)(a)</td>
<td>The state or territory</td>
</tr>
<tr>
<td>25A</td>
<td>To determine that a state or territory pay to the Commonwealth a specified amount</td>
<td>Paragraph 110(1)(a)</td>
<td>The approved authority, capital grants authority, block grant authority or non-government</td>
</tr>
<tr>
<td>Item</td>
<td>Column 1 - Reviewable decision</td>
<td>Provision under which the reviewable decision is made</td>
<td>Relevant person for the reviewable decision</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------</td>
<td>------------------------------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>26</td>
<td>To reduce the amount payable to a state or territory for a year for a school or an approved authority for a school</td>
<td>Paragraph 110(1)(b)</td>
<td>The approved authority for the school</td>
</tr>
<tr>
<td>27</td>
<td>To reduce the amount payable to a state or territory for a year for a capital grants authority, a block grant authority or a non-government representative body</td>
<td>Paragraph 110(1)(b)</td>
<td>The authority or body</td>
</tr>
</tbody>
</table>
Appendix F.10: Overseas students

**Legislative background:** Section 6 of the Act sets out the definition of an overseas student. Regulation 6 specifies the exclusions from this definition.

The Act defines an overseas student as a person who holds, or is included in, a visa that permits the visa holder to travel to Australia for the purpose of undertaking a course provided by a body. A student is an overseas student if he or she is on a visa that is specifically related to studying in Australia (or a bridging visa attached to a substantive visa with those provisions).

*Note: Regulation 6 specifies three categories of student exempt from this definition. These exemptions are listed at the end of this section.*

Under the previous arrangements, the department maintained a long list of visa subclasses that could enable a student on a visa to attract funding. Under the new Act, this process has been simplified and all similar students attract funding unless they are the primary visa holder, or the dependant of a primary visa holder that is issued for the purposes of study.

Details of visa subclasses are available on the website of the [Department of Immigration and Border Protection](http://www.immi.gov.au). As at January 2014, Australian student visa subclasses included:

<table>
<thead>
<tr>
<th>Australian student visa subclasses</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>570</td>
<td>Independent English Language Intensive Course for Overseas Students (ELICOS) visa</td>
</tr>
<tr>
<td>571</td>
<td>Schools Sector visa</td>
</tr>
<tr>
<td>572</td>
<td>Vocation Education and Training Sector visa</td>
</tr>
<tr>
<td>573</td>
<td>Higher Education Sector visa</td>
</tr>
<tr>
<td>574</td>
<td>Postgraduate Research visa</td>
</tr>
<tr>
<td>575</td>
<td>Non Award Sector visa</td>
</tr>
</tbody>
</table>

Regulation 6 specifies that the definition of ‘overseas student’ does not include:

a) a dependant of a person who is receiving a sponsorship or scholarship from an institution specified in Table A or B of section 4(1) of the *Higher Education Funding Act 1988* where the institution is meeting the full cost of the education component of the course

b) a student studying in Australia under a properly registered student-exchange programme

c) a person or dependant of a person who is receiving a sponsorship or scholarship from the Commonwealth.
Appendix F.11: Request for determination of a new SES score

This appendix provides approved authorities with the following information about requesting a determination of a new SES score:

- Background
- Applying for determination of a new SES score by administrative decision
- Applying for determination of a new SES score by legislative instrument
- Outcome and effect of a determination of a new SES score
- Sample of format for addresses
- Copy of Statement of Addresses
- Guidance on reasons for granting a new determination of an SES score.

F.11.1 Background

Legislative background: Section 52 of the Act sets out the process for the determination of socioeconomic status (SES) scores. Section 53 of the Act explains that determinations may be on application or on the Minister’s own initiative. Section 54 of the Act explains the capacity to contribute percentage. Regulations 20 to 24 deal with SES scores. Regulation 20 concerns the determination of SES scores by legislative instrument. Regulations 21 to 24 set out the process for determining SES scores by administrative decision.

The rules relating to applications are set out in sections 115 to 122 of the Act. The determination of an SES score by administrative decision is a reviewable decision under section 118. Section 119 sets out how a notice of a decision is to be made. Section 120 sets out the process for the internal review of reviewable decisions. Section 121 provides for the Secretary or internal reviewer to request further information from applicants.

An SES score for a school applies for one or more calendar years. Generally, once an SES score for a school has been determined, it will continue in effect until it is replaced by a new determination (although the Minister can determine an SES score to apply for a limited time).

There are two methods for the Minister to determine, by administrative decision, an SES score for a school. (Section 52(4) of the Act)

These methods are:

- the Prescribed Method
  - in accordance with the Regulation, and
- the Discretionary Method
  - in situations where determining an SES score for a school in accordance with the Regulation would result in a score that did not accurately reflect the general socioeconomic circumstances of the persons (parents and carers) responsible for students at the school. In these situations another method may be used that would result in an SES score the Minister is satisfied accurately reflects the general socioeconomic circumstances of the persons responsible for student at the school.
The Prescribed Method must be used unless the Minister is satisfied that doing so would result in an SES score that does not accurately reflect the general socioeconomic circumstances of the persons responsible for students at the school.

The formula the Minister must use to determine an SES score is set out in section 23 of the Act. The application of this formula involves:

- the geocoding of the residential addresses of students attending a school at the time of the determination, and
- the input of data from the most recent Census of Population and Housing conducted by the Australian Bureau of Statistics.

The Discretionary Method for determining a school’s SES score can only be used if the Minister is satisfied that using the Prescribed Method would result in an SES score that does not accurately reflect the general socioeconomic circumstances of the persons responsible for students at the school.

F.11.2 Applying for determination of a new SES score by administrative decision

The approved authority for a school that has an SES score determined by administrative decision under section 52(3) of the Act can apply for a new determination of the school’s SES score at any time. (Section 53(2) of the Act)

The Act does not limit the grounds on which an approved authority can apply for a new determination by administrative decision of an SES score for a school.

Generally, but not exclusively, applications for a determination of a new SES score will fall into one of two categories:

a) Changes in the school’s student population
   The school’s student population has changed significantly since the existing SES score was calculated and the SES score no longer accurately reflects the general socioeconomic circumstances of the parents or carers of students at the school. There is therefore a case for updating the student residential address data and recalculating the SES score using the Prescribed Method.

b) Other reasons
   Although the school’s student population has not changed significantly since the existing SES score was calculated, the SES score for the school no longer accurately reflects the general socioeconomic circumstances of the persons responsible for students at the school due to other reasons. This might occur if the existing SES score has been determined using the Prescribed Method but the ABS Census data is no longer representative of the general socioeconomic circumstances of the persons responsible for students at the school or it has been determined using the Discretionary Method, but the relevant circumstances used to determine it have changed.
An approved authority (or proposed approved authority) for a new school can also apply for the determination of the first SES score for that school.

Applications for determination of a new SES score by administrative decision should be made on the Application for determination of an SES score form on the Schools Service Point and sent:

- by email to SchoolsReformImplementation@education.gov.au, or
- by mail to:
  The Director
  Policy Analysis Team
  Location Code C50MA9
  Department of Education and Training
  GPO Box 9880
  CANBERRA ACT 2601

An application must specify the school and year to which the application relates and, if a determination under section 52 of the Act is already in force for the school, the reasons why a new SES score is being sought. (Section 53(3) of the Act)

Note: Before applying for a determination of a new SES due to a change in the school’s student population, the approved authority should first use the ‘What If Review’ calculator on the Schools Service Point to estimate how much the SES score for the relevant school might change if a new determination based on new data is made.

The Minister will consider all applications received that comply with the requirements of the Act.

An SES score determined by administrative decision is a reviewable decision. (Section 118 of the Act.)

An approved authority can withdraw an application at any time before a determination is made by notifying the Director, Policy Analysis Team, of the withdrawal in writing. (Section 117 of the Act)

F.11.2.1 Information required

The nature of the information and documentation an approved authority should provide, and the process the department follows to determine a new SES score, depends on the grounds upon which the approved authority applies for a new determination.

F.11.2.1.1 Changes in school student population

If an approved authority believes the existing SES score is not accurate because the school’s student population has changed significantly since the existing SES score was calculated, it should first use the ‘What If Review’ calculator on the Schools Service Point to estimate how much the SES score for the relevant school might change if a new determination based on current student residential address data is made.

If the approved authority wishes to proceed with its application, the approved authority must submit an application to the department and, following a request from the department, provide de-identified student residential addresses via the Schools Service Point so the Minister can determine a new SES score using the Prescribed Method.
After the department receives an application that complies with the requirements of the Act, the relevant school will be placed ‘under review’ on the SES Funding application on Schools Service Point. This unlocks the website so the school can upload its student residential address data. In order to geocode the student address data effectively, the department requires that these addresses be submitted in the format specified by the department. An example of this format is at Appendix F.11.5 Sample of format for addresses.

At least 95% of the addresses must be assigned to the Statistical Area Level 1 (SA1) in which the addresses are located. (Regulation 22)

Once these addresses have been successfully uploaded (or completed as ‘valid with map’), the SES Funding application automatically generates a statutory declaration. A signatory for the approved authority is then required to declare that the addresses supplied to the department are correct and that a Statement of Addresses has been provided to all parents and guardians of students at the school. A copy of the Statement of Addresses is at Appendix F.11.6 Copy of Statement of Addresses.

F.11.2.1.2 Other reasons

While the Act does not limit the evidence that an approved authority can rely on for the purposes of this sort of application for a new SES score, and much will depend on the circumstances of individual school communities, applications mainly fall into one of two broad categories:

a) There has been a change in the circumstances of the parents or carers responsible for students at a school since the ABS Census data collection that was used to calculate the SES score, for example, the closure of a major employer in the community where the majority of families with children at a school were employed in that industry and this has affected the incomes of persons responsible for students at a school. Such an event may not have been reflected in the ABS Census data used to calculate an SES score.

b) There is an identifiably unique characteristic of the families at the school which affects the school community’s capacity to support the school and that unique characteristic is not reflected in the SES score derived from the ABS census data.

The application should clearly explain how the circumstances of the persons responsible for students at the school have changed since the last ABS Census, or what the characteristic is that is not reflected in the ABS Census. Empirical and verifiable evidence should be provided to support the application.

Initially, an application of this type will be assessed internally using the data and expertise available to the department. However, the department may convene an independent panel of appropriate external experts to assist it with its deliberations on each application.

If the Minister is satisfied that an SES score for a school does not accurately reflect the general socioeconomic circumstances of the persons responsible for students at the school, the Minister can determine a new SES score for that school. In such circumstances, the SES score does not have to be determined using the Prescribed Method.
The precise method for determining an SES score for a school will depend on the circumstances outlined in the application, and may involve the collection of actual parent data.

Each application will be judged on its merits and assessed in accordance with the Act. For guidance, a list of reasons considered insufficient for granting a new SES score is provided at Appendix F.11.7 Guidance on reasons for granting a new determination on an SES score.

**F.11.3 Applying for determination of a new SES score by legislative instrument**

The Minister may, by legislative instrument, determine the SES score for one or more schools at any time. *(Section 53(1) of the Act)*

The SES scores of schools belonging to approved system authority that have elected to have a student-weighted, system-average SES score applied to their member schools have their scores determined by legislative instrument.

The Act does not provide for an approved authority of a school to apply for a determination of an SES score by legislative instrument. It is intended that an SES score determined in this way will remain until the next four yearly update of all SES scores, regardless of schools leaving or joining a system or changes in demographics of schools. Exceptions include:

- the Minister deciding to change the score on the Minister’s own initiative *(Section 53(1) of the Act)*
- an approved system authority providing a successful business case to change the system SES score.

It would generally only be in exceptional circumstances that the system SES score would be changed before the update of all SES scores.

**F.11.3.1 Process for determination of an SES score by legislative instrument**

Currently, all SES scores determined by legislative instrument are student-weighted, system-average SES scores for schools belonging to approved system authority that have requested a system-average score be applied to their member schools. The processes described in this section relate to requests made by approved system authority for a student-weighted, system-average SES score.

Once an approved system authority with a student-weighted, system-average SES score decides to proceed with a request to determine a new system SES score, it should provide its business case to the department:

- by email to SchoolsReformImplementation@education.gov.au, or
- by mail to:

  The Director  
  Policy Analysis Team  
  Location Code: C50MA9  
  Department of Education and Training  
  GPO Box 9880  
  CANBERRA ACT 2601
Before applying for a determination of an SES score, the approved authority is advised to use the ‘What If Review’ calculator on the SES Funding application on the Schools Service Point to estimate the individual SES scores of its member schools using the current residential address data of each school’s students, and to then use those individual SES scores to estimate a new system SES score. The new system SES score is calculated by multiplying the individual SES score of each member school in that system by the number of enrolments at each member school, then summing this calculation and dividing the total by the total number of enrolments in that system.

The calculation of a system SES score on the basis of individual school SES scores produced by the ‘What If Review’ tool is only an estimate. If the Minister agrees to make a new determination, the department will calculate a new system SES score using new individual SES scores for all member schools that have been calculated using current student residential address data.

After the Minister has considered the business case for the calculation of a new system SES score and agreed to make a new determination, the system will be advised by the department and schools in the system will be placed ‘under review’ on the SES Funding application. This unlocks the website so each approved authority can upload its current student residential address data.

Once 100% of the student residential addresses have been successfully uploaded (or completed as ‘valid with map’), the SES Funding application automatically generates a statutory declaration declaring that:

- the addresses provided to the department are correct, and
- a Statement of Addresses has been provided to all parents and guardians of students at member schools.

The department will provide the approved authority with a copy of the Statement of Addresses, which explains to parents and guardians why the department is collecting the data and for what purposes the data will be used.

A signatory for the approved authority will need to complete the statutory declaration and send the original document to the department.

Once the individual SES scores for all member schools have been calculated, the department will calculate a new system SES score and brief the Minister on the outcome. Following receipt of the Minister’s approval to do so, the department will draft a legislative instrument for the new system SES score to be tabled in Parliament. While the legislative instrument would have legal effect from the time of tabling, it would be subject to disallowance for 15 sitting days after it is tabled.

An SES score determined by legislative instrument is not a reviewable decision. (Section 118 of the Act.)
F.11.4 Outcome and effect of a determination of a new SES score

An approved authority will be given notice of the determination of a new SES score. Where, as an outcome of an application, a different SES score is determined, a new capacity to contribute percentage will apply and the level of recurrent funding provided by the Commonwealth to the approved authority for that school will change.

Generally, where the outcome of a determination of a new SES score results in a school receiving a lower SES score, which entitles it to a lower capacity to contribute percentage and an increased amount of recurrent funding from the Commonwealth, the date of effect of the change in funding will be 1 January of the year in which the application, including the appropriate data, was lodged with the department.

Generally, where the outcome of a determination of a new SES score results in a school receiving a higher SES score, which would result in a higher capacity to contribute percentage and a decrease in the amount of recurrent funding from the Commonwealth, the change in funding will be no earlier than 1 January of the year following that in which the application, including the appropriate data, was lodged with the department.

In certain limited circumstances, a determination of an SES score for a school that applies to a particular year can be made after that year has ended. (Section 52(5) of the Act)
## F.11.5 Sample of format for addresses

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
<th>H</th>
<th>I</th>
<th>J</th>
<th>K</th>
<th>L</th>
<th>M</th>
<th>N</th>
<th>O</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>9999</td>
<td>2001</td>
<td>55</td>
<td>60</td>
<td>The Hermitage</td>
<td>Griffe Street</td>
<td>Nakara 810</td>
<td>NT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>Y</td>
</tr>
<tr>
<td>2</td>
<td>9999</td>
<td>2002</td>
<td>21</td>
<td></td>
<td>Exmouth Circuit</td>
<td>Anula 812</td>
<td>NT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>Y</td>
</tr>
<tr>
<td>3</td>
<td>9999</td>
<td>2003</td>
<td>3</td>
<td>75</td>
<td>Dinah Beach Road</td>
<td>Darwin 800</td>
<td>NT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>Y</td>
</tr>
<tr>
<td>4</td>
<td>9999</td>
<td>2004</td>
<td>Lot 9</td>
<td></td>
<td>Berrimah 828</td>
<td>Farrar Rd &amp; Secrett Rd (NE)</td>
<td>S</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>9999</td>
<td>77999</td>
<td>2101</td>
<td></td>
<td>Daly River Mission</td>
<td>Daly River</td>
<td>822</td>
<td>NT</td>
<td></td>
<td>Lat [-13 45] Long [130 41]</td>
<td>S</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>9999</td>
<td>77999</td>
<td>2102</td>
<td></td>
<td>Mount Nancy Community</td>
<td>Alice Springs</td>
<td>870</td>
<td>NT</td>
<td></td>
<td>Cnr Stuart Hwy &amp; Basso Road (SW)</td>
<td>P</td>
<td>Y</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>9999</td>
<td>77999</td>
<td>2103</td>
<td>Section 34</td>
<td>Stuart Close Katherine</td>
<td>850</td>
<td>NT</td>
<td>Stott Terrace</td>
<td>S</td>
<td>Y</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>9999</td>
<td>77999</td>
<td>2104</td>
<td>RNN 622</td>
<td>Ross Highway Alice Springs</td>
<td>870</td>
<td>NT</td>
<td>Undoolya Road</td>
<td>P</td>
<td>Y</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
F.11.6 Copy of Statement of Addresses

INFORMATION REQUIRED TO DETERMINE SOCIOECONOMIC STATUS (SES) SCORES FOR NON-GOVERNMENT SCHOOLS

STATEMENT OF ADDRESSES

This notice is from the Australian Government Department of Education (the Department), to advise you that the Department has requested your child’s school to provide the Department with a “statement of addresses”. A statement of addresses contains the following three pieces of information about students at the school:

- Students’ residential addresses (not student names)
- Students’ level of education (primary or secondary)
- Students’ boarding school status (boarders or day students)

Authority for and Purpose of Collection

The Department has requested your child’s school to provide a statement of addresses under section 21 of the Australian Education Regulation 2013.

The Department requires a statement of addresses from the school in order to calculate the school’s socio-economic status (SES) score. Under the Australian Education Act 2013, a school’s SES score determines its capacity to contribute percentage, which in turn affects the amount of base Commonwealth recurrent funding which the school attracts under that Act.

The Department will only use the information in a statement of addresses for this specific purpose.

Under section 21 of the Australian Education Regulation 2013, a statement of addresses cannot identify an individual student. All information in the statement of addresses provided by your child’s school to the Department is de-identified, and the Department does not correlate the information in a statement of addresses with individual students at the school.

Nevertheless, it is important to ensure that statements of addresses are accurate, and the Department may from time to time carry out audits of statements of addresses to verify their accuracy. In that case, the Department’s contracted auditors may seek to compare a school’s statement of addresses with student enrolment information held by the school.

Disclosure of Information

The information provided by your child’s school in a statement of addresses may be disclosed by the Department to contractors working for the Department for the purposes of verifying the information. The contractors will not use the information for any other purpose.

The Department may also provide this information to the Australian Curriculum Assessment and Reporting Authority (ACARA). ACARA will use this information in developing and evaluating Index of Community Socio-Educational Advantage (ICSEA) formulas and school values.

Contact

If you have any questions regarding this notice please phone the Department of Education SES helpline on 1800 677 027 (Option 1 then Option 4) (free call) or send an e-mail to: SchoolsReformImplementation@education.gov.au

### F.11.7 Guidance on reasons for granting a new determination

<table>
<thead>
<tr>
<th>Reason given</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of debt at a school</td>
<td>Not a sufficient reason. The level of debt at a school is a management issue. Approved authorities for schools with debt issues should contact the Financial Assurance Team:</td>
</tr>
<tr>
<td></td>
<td>• on 1800 677 027 (option 1, option 2) or</td>
</tr>
<tr>
<td></td>
<td>• by email to <a href="mailto:Schoolsassurance@education.gov.au">Schoolsassurance@education.gov.au</a>.</td>
</tr>
<tr>
<td></td>
<td>The level of debt at a school does not represent a unique social characteristic of families at a school nor a significant change in a school’s circumstances since the last ABS Census.</td>
</tr>
<tr>
<td>Number of families receiving fee remission at a school and the level of fee remission provided</td>
<td>Not a sufficient reason. The number of families that receive fee remission at a school, and the level of fee remission a school provides a family, is a business decision for the approved authority of a school. If an approved authority for a school accepts a family that cannot afford to pay the prescribed fees then this decision will have financial consequences for the school.</td>
</tr>
<tr>
<td></td>
<td>Fee remission does not represent a unique social characteristic of families at a school nor a significant change in a school’s circumstances since the last ABS Census.</td>
</tr>
<tr>
<td>Ongoing costs for maintaining a school’s infrastructure and academic programmes</td>
<td>Not a sufficient reason. The cost of maintaining a school’s infrastructure, providing data to government or providing its academic programmes does not represent a unique social characteristic of families at a school nor a significant change in a school’s circumstances since the last ABS Census.</td>
</tr>
<tr>
<td>Choice of religious/philosophical affiliation</td>
<td>Not a sufficient reason. Choice of school for religious affiliation or academic philosophy is a matter for parents and the school community and cannot be considered as a valid reason for applying for a determination of a new SES score.</td>
</tr>
<tr>
<td></td>
<td>Religious affiliation or academic philosophy neither represents a unique social characteristic of families at a school nor a significant change in a school’s circumstances since the last ABS Census.</td>
</tr>
<tr>
<td>Reason given</td>
<td>Explanation</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>School draws from the same area as another school</td>
<td>Not a sufficient reason.</td>
</tr>
<tr>
<td></td>
<td><em>If a school draws students from exactly the same Statistical Areas level 1 (SA1s) as another school then it would have the same SES score. While there may be commonality in the SA1s from which schools attract students, it is usually the case that different schools do not draw from exactly the same SA1s.</em></td>
</tr>
<tr>
<td></td>
<td><em>The approved authority for a school is free to apply for a determination of a new SES score on the basis that there have been changes to the student population at a school, or that its SES score has been incorrectly calculated. See Guidelines – determination of a new SES score under section 53(2) of the Act due to changes in the student population at a school.</em></td>
</tr>
</tbody>
</table>
## Appendix F.12: List of approved system authorities

The following approved system authorities have approved system arrangements as determined under regulation 5 of the *Australian Education Regulation 2013*.

<table>
<thead>
<tr>
<th>Catholic systems</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Catholic Church of the Diocese of Darwin Property Trust Inc.</td>
<td></td>
</tr>
<tr>
<td>Catholic Education Centre [Tasmania]</td>
<td></td>
</tr>
<tr>
<td>Catholic Education Commission NSW</td>
<td></td>
</tr>
<tr>
<td>Catholic Education Commission of Victoria Limited</td>
<td></td>
</tr>
<tr>
<td>Catholic Education Commission of WA</td>
<td></td>
</tr>
<tr>
<td>Catholic Education Office [ACT]</td>
<td></td>
</tr>
<tr>
<td>Corporation of the Roman Catholic Bishops of Queensland</td>
<td></td>
</tr>
<tr>
<td>South Australian Commission for Catholic Schools Inc.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Independent systems</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The Anglican Schools Commission (Inc.)</td>
<td></td>
</tr>
<tr>
<td>Lutheran Church of Australia Queensland District</td>
<td></td>
</tr>
<tr>
<td>Lutheran Church of Australian Victorian District</td>
<td></td>
</tr>
<tr>
<td>Lutheran Schools Association of South Australia, Northern Territory and Western Australia Inc.</td>
<td></td>
</tr>
<tr>
<td>NT Christian Schools</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (Greater Sydney) Limited</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (Northern Australia) Limited</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (North New South Wales) Limited</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (South Australia) Ltd</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (South New South Wales) Limited</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (South Queensland) Ltd</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (Victoria) Limited</td>
<td></td>
</tr>
<tr>
<td>Seventh-Day Adventist Schools (Western Australia) Limited</td>
<td></td>
</tr>
<tr>
<td>South Australian Anglican Schools’ System Inc.</td>
<td></td>
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<tr>
<td>Swan Christian Education Association Inc.</td>
<td></td>
</tr>
<tr>
<td>Sydney Anglican Schools Corporation</td>
<td></td>
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<tr>
<td>Victorian Ecumenical System of Schools Ltd</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>State and territories</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Australian Capital Territory</td>
<td></td>
</tr>
<tr>
<td>State of New South Wales</td>
<td></td>
</tr>
<tr>
<td>State of South Australia</td>
<td></td>
</tr>
</tbody>
</table>