



# Victoria Government Gazette

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**SPECIAL**

## Subordinate Legislation Act 1994

### NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

#### Education Regulations 2000

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Education Regulations 2000.

The reason for the proposed regulations is to replace the former Education Regulations 1988 which sunsetted on 30 June 2000, and have been extended by the Education (Interim) Regulations 2000 until 1 November 2000.

The RIS explains the history of the regulations; the changes being made to the former regulations; the fact that the School Bus Review may require further changes to the regulations; the objective/s and effect of each regulation; whether other practicable means are available to implement the objectives; an assessment of the costs and benefits of the regulations; and a competition policy assessment of each regulation.

The objectives of the proposed regulations are to make provision for the following subject matters –

Part 1 – Preliminary.

The objective of this regulation is to insert definitions.

Part 2 – Admission of Students to State Schools.

The objective of this regulation is to require parents to sign an admission form when their child is admitted to a State school.

Part 3 – Transport of Students and Payment of Travelling Allowances.

The objectives of this regulation (pending a review of school bus services) are –

- (i) to establish a framework under which either transport services or travelling allowances are made available to eligible students at both State and registered schools, who because of geographic location or disability, might otherwise be disadvantaged in accessing educational services,
- (ii) to establish a reliable, efficient and dedicated transport service for students attending State schools, who live not less than 4.8 kms from their school, and
- (iii) to ensure equity in providing transport or paying the allowance so as to assist in achieving greater participation and increased retention of students in education.

Part 4 – Times of State School Operation

The objectives of this regulation are to provide the legislative framework to determine State school terms and holidays with some flexibility from year to year, and the ability for State schools to be closed for emergencies or other special reasons.

Part 5 – Discipline in State Schools

The objectives of the regulation are –

- (i) To assist in the protection of teachers' and students' rights and to ensure that State schools can develop a climate which enhances good teaching and learning practices.
- (ii) To define responsibility for the standard of student discipline and for the nature and extent of punishment imposed in the school.
- (iii) To provide Statewide guidelines within which schools and their communities can develop a student discipline policy specific to that individual school and its environment.

- (iv) To ensure that the standards of discipline and the penalties applied across the State reflect current socially acceptable behaviour, and that punishments imposed uphold the principles of social justice and do not infringe personal rights.

Part 6 – Scholarships

The objectives of the regulation are to enable the Department to increase the number of high quality graduates seeking employment as a teacher in Victorian Government Schools, particularly in targeted geographic and curriculum areas.

Part 7 – School Councils

The objectives of this regulation are –

- (i) to provide a common and practical framework for the meetings and operation of State school councils, established under section 13 of the Act, and
- (ii) to establish procedures and requirements for council bank accounts and minimum procedures for the appointment of council employed staff.

Part 8 – Parent Clubs and Welfare Clubs at State Schools

The objectives of this regulation are to provide a framework under which a group of parents of students at a State school may establish and operate a welfare club, consistent with the powers and responsibilities of school councils.

Part 9 – Efforts for School Funds

The objective of this regulation is to facilitate the orderly and prioritised raising of moneys by the school community to augment school funds, and to ensure an appropriate balance is maintained between school councils as governing bodies and the efforts of groups of persons assisting the school by raising funds.

Part 10 – Education Allowance

The objectives of the regulation are –

- (i) to provide financial support for educational expenditures to low income families through the Education Maintenance Allowance (EMA),
- (ii) to ensure that the EMA is directly associated with educational expenditures,
- (iii) to ensure that bureaucratic processes for both schools and parents, in administering the EMA, are streamlined,
- (iv) to require a high level of accountability for the distribution of public funds, and
- (v) to provide flexibility in the administration of the EMA.

The RIS discusses possible alternatives to making the regulations and concludes that there are no other practicable means of achieving the objectives. The RIS concludes there are no costs to industry; that where social costs are involved they are outweighed by the benefits; and that the regulations do not restrict competition.

Copies of the RIS and the proposed Regulations may be obtained from the Legal Services Unit, Department of Education, Employment and Training, 1st Floor, 2 Treasury Place Melbourne 3000, between 8.30 am and 5.30, (telephone 96373146, or fax 9637 2750) or on the internet at <http://www.sofweb.vic.gov.au/news>

Public comments are invited on the RIS and the proposed Regulations. All comments must be in writing and be sent to the Manager, Legal Services Unit, 1st Floor, 2 Treasury Place Melbourne 3000 by no later than 9am Wednesday 25 October 2000.

Dated 22 September 2000

HON. MARY DELAHUNTY, MP  
Minister for Education

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