



# **Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Regulations 2005**

**Select Legislative Instrument 2005 No. 190 as amended**

made under the

*Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Act 2004*

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This compilation was prepared on 28 March 2008  
taking into account amendments up to SLI 2008 No. 37

Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra

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**Part 1 Preliminary****1.1 Name of Regulations** [see Note 1]

These Regulations are the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Regulations 2005*

**1.2 Commencement** [see Note 1]

These Regulations commence, or are taken to have commenced, as follows:

- (a) on 1 October 2005 — Parts 1 and 4;
- (b) on the first day on which subsection 140 (2) of the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Act 2004* is complied with — Parts 2 and 3.

*Note* Subsection 140 (2) of the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Act 2004* provides that regulations made for the purposes of section 14, 15, 19, 31, 32 or 36 of that Act take effect not earlier than on the first day on which they are no longer liable to be disallowed, or to have been taken to have been disallowed, under the *Legislative Instruments Act 2003*.

**1.3 Definitions**

In these Regulations:

**Act** means the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Act 2004*.

**MCEETYA** means the Ministerial Council on Education, Employment, Training and Youth Affairs.

**parent** means a parent, guardian or other person who has care and control of a child.

## Part 2                      **General provisions relating to grants — government schools**

### 2.1            **Performance targets**

- (1) For paragraphs 14 (1) (b) and 19 (3) (f) of the Act, the performance targets are that, in each program year:
  - (a) all students in Year 3 will achieve the national benchmarks for reading, writing and spelling for Year 3 mentioned in Part 7 of Schedule 1; and
  - (b) all students in Year 3 will achieve the national benchmark for numeracy for Year 3 mentioned in Part 7 of Schedule 1; and
  - (c) all students in Year 5 will achieve the national benchmarks for reading, writing and spelling for Year 5 mentioned in Part 7 of Schedule 1; and
  - (d) all students in Year 5 will achieve the national benchmark for numeracy for Year 5 mentioned in Part 7 of Schedule 1; and
  - (e) all students in Year 7 will achieve the national benchmarks for reading, writing and spelling for Year 7 mentioned in Part 7 of Schedule 1; and
  - (f) all students in Year 7 will achieve the national benchmark for numeracy for Year 7 mentioned in Part 7 of Schedule 1.
- (2) However, it is recognised that the performance targets may not be met in respect of the very small percentage of students who have severe educational disabilities.

### 2.2            **Conditions of financial assistance — performance measures**

For paragraph 14 (1) (b) of the Act, the performance measures are specified in Parts 1 to 6 of Schedule 1.

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**2.3 Student reports**

- (1) For paragraph 15 (f) of the Act, a student report must specify, for each program year, a required framework for relative and comparative reporting of a child's progress and achievement against the performance of the child's peer group at the school.
- (2) For subregulation (1):
  - (a) if the child undertakes a standard assessment in reading, writing, spelling and numeracy at Year 3, 5, 7 or 9, one of the student reports for the program year must include the result of that assessment against appropriate national benchmarks; and
  - (b) if the child undertakes a standard assessment in reading, writing, spelling and numeracy at Year 3, 5, 7, or 9, one of the student reports for the program year must include the result of that assessment against achievement levels or bands; and
  - (c) if the child undertakes a standard assessment in reading, writing, spelling and numeracy at Year 3, 5, 7, or 9, one of the student reports for the program year must include the average achievement of the child's peer group at the school against achievement levels or bands; and
  - (d) the student report must include, for subjects studied, an assessment against achievement levels or bands defined by the education authority or school, being levels or bands that:
    - (i) must be labelled as A, B, C, D, E (or an equivalent); and
    - (ii) should be clearly defined against specific learning standards; and
  - (e) the student report must also include, for subjects studied, the child's achievement relative to the achievement of the child's peer group at the school by at least quartile bands.
- (3) The information mentioned in paragraph (2) (e) must be presented in a way that does not interfere with the privacy of an individual.

*Note* The *Privacy Act 1988* and the related Information Privacy Principles should be consulted to ensure that information does not interfere with an individual's privacy.

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- (4) A student report is taken to comply with subregulation (1) if it is prepared in compliance with any arrangements approved by the Minister for this subregulation.
- (5) In this regulation:
  - (a) the *peer group* of a child in a school is all children at the school who are undertaking the same year level as the child in a year; and
  - (b) a *standard assessment* is a standardised assessment program which can be included in an agreed national process to enable nationally comparable reporting of literacy and numeracy achievement against the national literacy and numeracy benchmarks.

**2.4 Educational accountability — performance information (form)**

- (1) For paragraph 19 (1) (b) of the Act, performance information for the performance measures mentioned in items 101 to 112 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year, for Australia, disaggregated:
  - (a) by State and Territory; and
  - (b) for each State and Territory — by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location.
- (2) For paragraph 19 (1) (b) of the Act, performance information for the performance measures mentioned in items 201 to 204 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year, for Australia, disaggregated:
  - (a) by State and Territory; and
  - (b) for each State and Territory — by the following characteristics of students:

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- (i) sex;
  - (ii) Indigenous status;
  - (iii) socio-economic background;
  - (iv) language background;
  - (v) geographic location.
- (3) For paragraph 19 (1) (b) of the Act, performance information for the performance measure mentioned in item 301 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year:
- (a) for Australia — disaggregated by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location; and
  - (b) for each State and Territory — disaggregated by the sex of students.
- (4) For paragraph 19 (1) (b) of the Act, performance information for the performance measures mentioned in items 401 to 404 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year:
- (a) for Australia — disaggregated by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location; and
  - (b) for each State and Territory — disaggregated by the sex of students.
- (5) For paragraph 19 (1) (b) of the Act, performance information for the performance measures mentioned in items 501 and 502 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year:

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- (a) for Australia — disaggregated by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location; and
  - (b) for each State and Territory — disaggregated by the sex of students.
- (6) In this regulation:
- (a) the characteristics of sex, Indigenous status, socio-economic background and language background are as described in the *Data Implementation Manual for Enrolments for the 2005 and 2006 School Years*, published by MCEETYA, as in force when these Regulations commence; and
  - (b) the characteristic of geographic location is as approved by MCEETYA at its meeting in July 2001.

*Note* The *Data Implementation Manual for Enrolments for the 2005 and 2006 School Years* is available on the Internet:

<http://www.mceetya.edu.au/public/dm.htm>

## **2.5 Educational accountability — performance information (content)**

For paragraph 19 (1) (b) of the Act, the performance information includes the performance measures set out in Parts 1 to 6 of Schedule 1.

### **2.5A Educational accountability — student attendance**

- (1) For paragraph 19 (1) (c) of the Act, the student attendance information to which a report mentioned in that paragraph relates is the ratio of the number of actual student days attended during the period to which the report relates to the number of possible student days during that period.

*Note* The Minister determines the period to which a report relates.

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- (2) The student attendance information must be expressed as a percentage.
- (3) The student attendance information must be in a form that enables the publication of the information for the relevant program year, for Australia, disaggregated:
- (a) by State and Territory; and
  - (b) for each State and Territory — by the following characteristics of students:
    - (i) school sector;
    - (ii) school grade;
    - (iii) sex;
    - (iv) Indigenous status.
- (4) For subregulation (3):
- (a) the school sector is all government schools; and
  - (b) the school grades are:
    - (i) all ungraded primary school students; and
    - (ii) all ungraded secondary school students; and
    - (iii) each of Years 1 to 10; and
  - (c) the characteristic of sex is as described in the *Data Implementation Manual for Enrolments for the 2007 School Year*, published by MCEETYA and as in effect when this regulation commences; and
  - (d) the characteristic of Indigenous status is as described in the *Data Implementation Manual for Enrolments for the 2007 School Year*, published by MCEETYA and as in effect when this regulation commences.

*Note* At the commencement of this regulation, the *Data Implementation Manual for Enrolments for the 2007 School Year* was available on the Internet at:

<http://www.mceetya.edu.au/mceetya/default.asp?id=11575>.

- (5) In this regulation:
- actual student days*** means the total number of school days attended by students in the period to which a report relates.

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*possible student days* means the total number of school days that could be attended by students in the period to which a report relates.

*student* means a full-time student who:

- (a) is:
  - (i) an ungraded primary school student; or
  - (ii) an ungraded secondary school student; or
  - (iii) in any of Years 1 to 10; and
- (b) is enrolled for the entire duration of the period to which a report relates.

## **2.6 Educational accountability — school performance information**

- (1) For paragraph 19 (3) (e) of the Act, the school performance information required for each school for each program year must include at least the items set out in Schedule 2.
- (2) The school performance information must be made publicly available within 6 months after the end of each program year, and in at least 2 of the following forms:
  - (a) a hard copy school annual report provided to parents and made available to prospective parents upon request;
  - (b) a hard copy newsletter provided to parents and made available to prospective parents upon request;
  - (c) a hard copy school handbook provided to parents and made available to prospective parents upon request;
  - (d) on the Internet, using a URL address provided to parents and prospective parents upon request;
  - (e) by means of a billboard or sign that is clearly visible to the public inside or outside the school.
- (3) However, if a parent is unable to access information in any of the ways mentioned in subregulation (2), the school performance information must be provided to the parent in a way that the parent can access.
- (4) The school performance information mentioned in subregulation (1) must be presented in a way that does not interfere with the privacy of an individual.

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*Note* The *Privacy Act 1988* and the related Information Privacy Principles should be consulted to ensure that information does not interfere with an individual's privacy.

- (5) School performance information is taken to comply with subregulation (1) if it is prepared in compliance with any arrangements approved by the Minister for this subregulation.

**2.7 Educational accountability — common national tests**

*Note* For subsection 19 (4) of the Act, it is intended that common national tests in reading, writing, spelling and numeracy will be administered by each school to each child who:

- (a) attends the school; and
- (b) is in Year 3, 5, 7 or 9.

At the time these Regulations commenced, the form of the common tests had not been finalised. When they have been developed and endorsed by MCEETYA, or approved by the Minister, they will be prescribed.

## **Part 3                      General provisions relating to grants — non-government bodies**

### **3.1            Performance targets**

- (1) For paragraphs 31 (b) and 36 (3) (f) of the Act, the performance targets are that, in each program year:
  - (a) all students in Year 3 will achieve the national benchmarks for reading, writing and spelling for Year 3 mentioned in Part 7 of Schedule 1; and
  - (b) all students in Year 3 will achieve the national benchmark for numeracy for Year 3 mentioned in Part 7 of Schedule 1; and
  - (c) all students in Year 5 will achieve the national benchmarks for reading, writing and spelling for Year 5 mentioned in Part 7 of Schedule 1; and
  - (d) all students in Year 5 will achieve the national benchmark for numeracy for Year 5 mentioned in Part 7 of Schedule 1; and
  - (e) all students in Year 7 will achieve the national benchmarks for reading, writing and spelling for Year 7 mentioned in Part 7 of Schedule 1; and
  - (f) all students in Year 7 will achieve the national benchmark for numeracy for Year 7 mentioned in Part 7 of Schedule 1.
- (2) However, it is recognised that the performance targets may not be met in respect of the very small percentage of students who have severe educational disabilities.

### **3.2            Provisions that must be included in agreements — performance measures**

For paragraph 31 (b) of the Act, the performance measures are specified in Parts 1 to 6 of Schedule 1.

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**3.3 Student reports**

- (1) For paragraph 32 (f) of the Act, student reports must specify, for each program year, a required framework for relative and comparative reporting of a child's progress and achievement against the performance of the child's peer group at the school.
- (2) For subregulation (1):
  - (a) if the child undertakes a standard assessment in reading, writing, spelling and numeracy at Year 3, 5, 7 or 9, one of the student reports for the program year must include the result of that assessment against appropriate national benchmarks; and
  - (b) if the child undertakes a standard assessment in reading, writing, spelling and numeracy at Year 3, 5, 7, or 9, one of the student reports for the program year must include the result of that assessment against achievement levels or bands; and
  - (c) if the child undertakes a standard assessment in reading, writing, spelling and numeracy at Year 3, 5, 7, or 9, one of the student reports for the program year must include the average achievement of the child's peer group at the school against achievement levels or bands; and
  - (d) the student report must include, for subjects studied, an assessment against achievement levels or bands defined by the education authority or school, being levels or bands that:
    - (i) must be labelled as A, B, C, D, E (or an equivalent); and
    - (ii) should be clearly defined against specific learning standards; and
  - (e) the student report must also include, for subjects studied, the child's achievement relative to the achievement of the child's peer group at the school by at least quartile bands.
- (3) The information mentioned in paragraph (2) (e) must be presented in a way that does not interfere with the privacy of an individual.

*Note* The *Privacy Act 1988* and the related Information Privacy Principles should be consulted to ensure that information does not interfere with an individual's privacy.

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- (4) A student report is taken to comply with subregulation (1) if it is prepared in compliance with any arrangements approved by the Minister for this subregulation.
- (5) In this regulation:
  - (a) the *peer group* of a child in a school is all children at the school who are undertaking the same year level as the child in a year; and
  - (b) a *standard assessment* is a standardised assessment program which can be included in an agreed national process to enable nationally comparable reporting of literacy and numeracy achievement against the national literacy and numeracy benchmarks.

**3.4 Educational accountability — performance information (form)**

- (1) For paragraph 36 (1) (b) of the Act, performance information for the performance measures mentioned in items 101 to 112 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year, for Australia, disaggregated:
  - (a) by State and Territory; and
  - (b) for each State and Territory — by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location.
- (2) For paragraph 36 (1) (b) of the Act, performance information for the performance measures mentioned in items 201 to 204 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year, for Australia, disaggregated:
  - (a) by State and Territory; and

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- (b) for each State and Territory — by the following characteristics of students:
  - (i) sex;
  - (ii) Indigenous status;
  - (iii) socio-economic background;
  - (iv) language background;
  - (v) geographic location.
- (3) For paragraph 36 (1) (b) of the Act, performance information for the performance measure mentioned in item 301 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year:
  - (a) for Australia — disaggregated by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location; and
  - (b) for each State and Territory — disaggregated by the sex of students.
- (4) For paragraph 36 (1) (b) of the Act, performance information for the performance measures mentioned in items 401 to 404 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year:
  - (a) for Australia — disaggregated by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location; and
  - (b) for each State and Territory — disaggregated by the sex of students.
- (5) For paragraph 36 (1) (b) of the Act, performance information for the performance measures mentioned in items 501 and 502

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of Schedule 1 must be in a form that enables the publication of the information for the relevant program year:

- (a) for Australia — disaggregated by the following characteristics of students:
    - (i) sex;
    - (ii) Indigenous status;
    - (iii) socio-economic background;
    - (iv) language background;
    - (v) geographic location; and
  - (b) for each State and Territory — disaggregated by the sex of students.
- (6) In this regulation:
- (a) the characteristics of sex, Indigenous status, socio-economic background and language background are as described in the *Data Implementation Manual for Enrolments for the 2005 and 2006 School Years*, published by MCEETYA, as in force when these Regulations commence; and
  - (b) the characteristic of geographic location is as approved by MCEETYA at its meeting in July 2001.

*Note* The *Data Implementation Manual for Enrolments for the 2005 and 2006 School Years* is available on the Internet:

<http://www.mceetya.edu.au/public/dm.htm>

### **3.5 Educational accountability — performance information (content)**

For paragraph 36 (1)(b) of the Act, the performance information includes the performance measures set out in Parts 1 to 6 of Schedule 1.

#### **3.5A Educational accountability — student attendance**

- (1) For paragraph 36 (1)(c) of the Act, the student attendance information to which a report mentioned in that paragraph relates is the ratio of the number of actual student days attended during the period to which the report relates to the number of possible student days during that period.

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*Note* The Minister determines the period to which a report relates.

- (2) The student attendance information must be expressed as a percentage.
- (3) The student attendance information must be in a form that enables the publication of the information for the relevant program year, for Australia, disaggregated:
  - (a) by State and Territory; and
  - (b) for each State and Territory — by the following characteristics of students:
    - (i) school sector;
    - (ii) school grade;
    - (iii) sex;
    - (iv) Indigenous status.
- (4) For subregulation (3):
  - (a) the school sector is:
    - (i) for non-government systemic schools for which the approved school system is a Catholic education authority — all schools of that kind; and
    - (ii) in any other case — all other non-government non-systemic schools and all other non-government systemic schools; and
  - (b) the school grades are:
    - (i) all ungraded primary school students; and
    - (ii) all ungraded secondary school students; and
    - (iii) each of Years 1 to 10; and
  - (c) the characteristic of sex is as described in the *Data Implementation Manual for Enrolments for the 2007 School Year*, published by MCEETYA and as in effect when this regulation commences; and
  - (d) the characteristic of Indigenous status is as described in the *Data Implementation Manual for Enrolments for the 2007 School Year*, published by MCEETYA and as in effect when this regulation commences.

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*Note* At the commencement of this regulation, the *Data Implementation Manual for Enrolments for the 2007 School Year* was available on the Internet at:

<http://www.mceetya.edu.au/mceetya/default.asp?id=11575>.

(5) In this regulation:

***actual student days*** means the total number of school days attended by students in the period to which a report relates.

***possible student days*** means the total number of school days that could be attended by students in the period to which a report relates.

***student*** means a full-time student who:

- (a) is:
  - (i) an ungraded primary school student; or
  - (ii) an ungraded secondary school student; or
  - (iii) in any of Years 1 to 10; and
- (b) is enrolled for the entire duration of the period to which a report relates.

### **3.6 Educational accountability — school performance information**

- (1) For paragraph 36 (3) (e) of the Act, the school performance information required for each program year must include at least the measures set out in Schedule 2.
- (2) The school performance information must be made publicly available within 6 months after the end of each program year, and in at least 2 of the following forms:
  - (a) a hard copy school annual report provided to parents and made available to prospective parents upon request;
  - (b) a hard copy newsletter provided to parents and made available to prospective parents upon request;
  - (c) a hard copy school handbook provided to parents and made available to prospective parents upon request;
  - (d) on the Internet, using a URL address provided to parents and prospective parents upon request;
  - (e) by means of a billboard or sign that is clearly visible to the public inside or outside the school.

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- (3) However, if a parent is unable to access information in any of the ways mentioned in subregulation (2), the school performance information must be provided to the parent in a way that the parent can access.
- (4) The school performance information mentioned in subregulation (1) must be presented in a way that does not interfere with the privacy of an individual.

*Note* The *Privacy Act 1988* and the related Information Privacy Principles should be consulted to ensure that information does not interfere with an individual's privacy.

- (5) School performance information is taken to comply with subregulation (1) if it is prepared in compliance with any arrangements approved by the Minister for this subregulation.

**3.7 Educational accountability — common national tests**

*Note* For subsection 36 (4) of the Act, it is intended that common national tests in reading, writing, spelling and numeracy will be administered by each school to each child who:

- (a) attends the school; and  
(b) is in Year 3, 5, 7 or 9.

At the time these Regulations commenced, the form of the common tests had not been finalised. When they have been developed and endorsed by MCEETYA, or approved by the Minister, they will be prescribed.

**Part 4 Changes to amounts and costs****4.1 Changes to Average Government School Recurrent Costs**

For subsection 121 (1) of the Act, each amount mentioned in Schedule 1 of the Act for a program year and a type of education is replaced by the amount mentioned in the table for that type of education and program year.

**Regulation 4.1C**

<b>Item</b>	<b>Type of education</b>	<b>2005 program year (\$)</b>	<b>2006 program year (\$)</b>	<b>2007 program year (\$)</b>	<b>2008 program year (\$)</b>
1	Primary	6 787	7 216	7 614	7 614
2	Secondary	8 994	9 319	9 724	9 724

*Note 1* Section 121 of the Act provides for changes to Average Government School Recurrent Costs mentioned in Schedule 1 to the Act.

*Note 2* In accordance with sections 122 and 123 of the Act, each amount mentioned in Schedules 2 and 4 of the Act is replaced by an amount worked out using the corresponding amount mentioned in this regulation.

**4.1A Changes to capital grants for government schools**

For subsection 123A (1) of the Act the amounts mentioned in the table for a program year are specified for column 3 of the table in Schedule 3 to the Act.

**Capital grants for government schools**

<b>Column 1</b>	<b>Column 3 of the table in Schedule 3</b>
Program year	Amount of capital infrastructure grants (\$'000)
2006	429 520
2007	332 534
2008	29 846

**4.1B Changes to capital grants for non-government schools**

*Note* This regulation is reserved for future use.

**4.1C Changes to grants of short term emergency assistance for non-government schools**

For subsection 123A (1) of the Act the amounts mentioned in the table for a program year are specified for column 2 of the table in Schedule 7 to the Act.

**Regulation 4.1D**

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**Grants of short term emergency assistance**

<b>Column 1</b>	<b>Column 2 of the table in Schedule 7</b>
Program year	Amount of grants (\$'000)
2006	387
2007	554
2008	1 720

**4.1D Changes to grants for targeted assistance**

For subsection 123A (1) of the Act the amounts mentioned in the table for a program year are specified for column 3 of the table in Part 1 of Schedule 8 to the Act.

**Grants for targeted assistance**

<b>Column 1</b>	<b>Column 3 of the table in Part 1 of Schedule 8</b>
Program year	Grants to foster languages education (\$'000)
2006	24 865
2007	25 252
2008	26 025

**4.2 Changes to grants for literacy, numeracy and special learning needs**

- (1) For subsection 123A (1) of the Act, the amounts mentioned in the table below for a program year are specified for columns 3 and 5 of the table in Part 1 of Schedule 9 to the Act for that program

**Grants for literacy, numeracy and special learning needs**

<b>Column 1</b>	<b>Column 3 of the table in Part 1 of Schedule 9</b>	<b>Column 5 of the table in Part 1 of Schedule 9</b>
Program year	Grants for schools: guarantee amount (\$'000)	Grants for non-government centres: guarantee amount (\$'000)
2005	7 233	3 118

**Regulation 4.3****Grants for literacy, numeracy and special learning needs**

<b>Column 1</b>	<b>Column 3 of the table in Part 1 of Schedule 9</b>	<b>Column 5 of the table in Part 1 of Schedule 9</b>
Program year	Grants for schools: guarantee amount (\$'000)	Grants for non-government centres: guarantee amount (\$'000)
2006	5 421	2 728
2007	3 921	2 178
2008	4 342	2 169

- (2) For subsection 123A (1) of the Act, the amounts mentioned in the table below for a program year are specified for column 6 of the table in Part 1 of Schedule 9 to the Act for that program year.

**Grants for literacy, numeracy and special learning needs**

<b>Column 1</b>	<b>Column 6 of the table in Part 1 of Schedule 9</b>
Program year	Grants for national projects (\$'000)
2006	14 096
2007	6 625
2008	17 268

**4.3 Changes to recurrent grants — general**

For paragraph (b) of the definition of *recurrent number for the program year* in subsection 124 (1) of the Act, the number for the program year is set out in the table.

<b>Program year</b>	<b>Number</b>
2005	1.038
2006	1.087
2007	1.140
2008	1.140

**Regulation 4.4**

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**4.4 Changes to capital grants for government schools and non-government schools**

For paragraph (b) of the definition of *capital number for the program year* in subsection 126 (1) of the Act, the number for the program year is set out in the table.

<b>Program year</b>	<b>Number</b>
2005	1.117
2006	1.175
2007	1.244
2008	1.244

**4.5 Changes to other grants for non-government rural student hostels**

For subsection 127 (1) of the Act, for an amount mentioned in Schedule 6 in relation to a program year, the amount for the program year is increased by the factor set out in the table, which is the factor by which the Wage Cost Index No. 1 has changed from the 2003–2004 financial year.

<b>Program year</b>	<b>Factor</b>
2005	1.021
2006	1.040
2007	1.061
2008	1.061

*Note* The Wage Cost Index No. 1 is the index determined in writing by the Finance Minister for subsection 127 (1) of the Act.

## **Schedule 1      Performance measures**

(regulations 2.1, 2.2, 2.5, 3.1, 3.2 and 3.5)

### **Part 1            Measures for English literacy**

- 101    The percentage of students in Year 3 achieving the national benchmark for reading for Year 3.
- 102    The percentage of students in Year 3 achieving the national benchmark for writing for Year 3.
- 103    The percentage of students in Year 3 achieving the national benchmark for spelling for Year 3.
- 104    The percentage of students in Year 5 achieving the national benchmark for reading for Year 5.
- 105    The percentage of students in Year 5 achieving the national benchmark for writing for Year 5.
- 106    The percentage of students in Year 5 achieving the national benchmark for spelling for Year 5.
- 107    The percentage of students in Year 7 achieving the national benchmark for reading for Year 7.
- 108    The percentage of students in Year 7 achieving the national benchmark for writing for Year 7.
- 109    The percentage of students in Year 7 achieving the national benchmark for spelling for Year 7.
- 110    The percentage of students in Year 9 achieving the national benchmark for reading for Year 9.
- 111    The percentage of students in Year 9 achieving the national benchmark for writing for Year 9.
- 112    The percentage of students in Year 9 achieving the national benchmark for spelling for Year 9.

- 113 The percentage of students achieving at or above the standard in the OECD Programme for International Student Assessment (PISA) reading literacy assessment for 2006.

## **Part 2 Measures for numeracy and mathematics**

- 201 The percentage of students in Year 3 achieving the national benchmark for numeracy for Year 3.
- 202 The percentage of students in Year 5 achieving the national benchmark for numeracy for Year 5.
- 203 The percentage of students in Year 7 achieving the national benchmark for numeracy for Year 7.
- 204 The percentage of students in Year 9 achieving the national benchmark for numeracy for Year 9.
- 205 The percentage of students achieving at or above the standard in the mathematical literacy assessment of the OECD Programme for International Student Assessment (PISA) for 2006.
- 206 The percentage of students achieving at or above the standard in the Year 4 mathematics assessment of the Trends in International Mathematics and Science Study (TIMSS) for 2006.
- 207 The percentage of students achieving at or above the standard in the Year 8 mathematics assessment of the Trends in International Mathematics and Science Study (TIMSS) for 2006.

## **Part 3 Measures for science**

- 301 The percentage of students achieving at or above the standard in science literacy in the National Assessment Program — Science Literacy, 2006, Year 6.
- 302 The percentage of students achieving at or above the standard in the scientific literacy assessment of the OECD Programme for International Student Assessment (PISA) for 2006.

- 
- 303 The percentage of students achieving at or above the standard in the Year 4 science assessment of the Trends in International Mathematics and Science Study (TIMSS) for 2006.
- 304 The percentage of students achieving at or above the standard in the Year 8 science assessment of the Trends in International Mathematics and Science Study (TIMSS) for 2006.

#### **Part 4 Measures for civics and citizenship**

- 401 The percentage of students achieving at or above the standard in civic knowledge and understanding in the National Assessment Program — Civics and Citizenship, 2007, Year 6.
- 402 The percentage of students achieving at or above the standard in citizenship participation skills and civic values in the National Assessment Program — Civics and Citizenship, 2007, Year 6.
- 403 The percentage of students achieving at or above the standard in civic knowledge and understanding in the National Assessment Program — Civics and Citizenship, 2007, Year 10.
- 404 The percentage of students achieving at or above the standard in citizenship participation skills and civic values in the National Assessment Program — Civics and Citizenship, 2007, Year 10.

#### **Part 5 Measures for Information and Communications Technology (ICT) literacy**

- 501 The percentage of students achieving at or above the standard in the National Assessment Program — Information and Communications Technology (ICT) Literacy, 2005 and 2008, Year 6.
- 502 The percentage of students achieving at or above the standard in the National Assessment Program — Information and Communications Technology (ICT) Literacy, 2005 and 2008, Year 10.

## **Part 6 Measures for Vocational Education and Training (VET) in schools**

- 601 School students undertaking vocational education and training (with New Apprenticeships and Traineeships disaggregated) as part of their senior secondary school certificate in a calendar year as a proportion of all school students undertaking a senior secondary school certificate in that year.
- 602 School students enrolled in a senior secondary school certificate in a calendar year who have completed at least one vocational education and training unit of competency module as a proportion of all school students undertaking a senior secondary school certificate in that year.

## **Part 7 National benchmarks**

*Note* This Part identifies the benchmarks mentioned in various items in Parts 1 to 6.

<b>Item</b>	<b>Items in Parts 1 to 6 that refer to the performance measure</b>	<b>Benchmark</b>
1	101, 102, 103, 104, 105, 106	The relevant benchmarks approved by MCEETYA at its meeting in April 1998
2	107, 108, 109	The relevant benchmarks approved out of session by MCEETYA in July 2004
3	110, 111, 112	<i>Note</i> At the time these Regulations commenced, the benchmarks had not been finalised. When they have been developed and endorsed by MCEETYA, or approved by the Minister, they will be prescribed.
4	201, 202	The relevant benchmarks approved by MCEETYA at its meeting in March 2000
5	203	The relevant benchmarks approved out of session by MCEETYA in July 2004

Item	Items in Parts 1 to 6 that refer to the performance measure	Benchmark
6	204	<i>Note</i> At the time these Regulations commenced, the benchmarks had not been finalised. When they have been developed and endorsed by MCEETYA, or approved by the Minister, they will be prescribed.

*Note* The national reading, writing, spelling and numeracy benchmarks for Years 3, 5 and 7 are available on the Internet:

<http://www.curriculum.edu.au/projects/numbench.php>

## Part 8 Standards for reporting performance measures

*Note* This Part identifies the standards mentioned in various items in Parts 1 to 6.

Item	Item in Parts 1 to 6 that refers to the performance measure	Standard
1	113	Level 3 on the combined reading scale in the OECD Programme for International Student Assessment (PISA) reading literacy assessment for 2000
2	205	<i>Note</i> The standard will be a level on the combined mathematics scale in the OECD Programme for International Student Assessment (PISA) mathematical literacy assessment for 2003 developed by MCEETYA.  At the time these Regulations commenced, the standard had not been finalised. When it has been developed and endorsed by MCEETYA, or approved by the Minister, it will be prescribed.
3	206	<i>Note</i> The standard will be a level on the Year 4 mathematics achievement scale in the Trends in International Mathematics and Science Study (TIMSS) mathematics assessment for 2002 developed by MCEETYA.

Item	Item in Parts 1 to 6 that refers to the performance measure	Standard
		At the time these Regulations commenced, the standard had not been finalised. When it has been developed and endorsed by MCEETYA, or approved by the Minister, it will be prescribed.
4	207	<p><i>Note</i> The standard will be a level on the Year 8 mathematics achievement scale in the Trends in International Mathematics and Science Study (TIMSS) mathematics assessment for 2002 developed by MCEETYA.</p> <p>At the time these Regulations commenced, the standard had not been finalised. When it has been developed and endorsed by MCEETYA, or approved by the Minister, it will be prescribed.</p>
5	301	Level 3.2 on the science literacy scale in the National Assessment Program — Science Literacy, 2003, Year 6
6	302	<p><i>Note</i> The standard will be a level on the combined science scale in the OECD Programme for International Student Assessment (PISA) mathematical literacy assessment for 2006 developed by MCEETYA.</p> <p>At the time these Regulations commenced, the standard had not been finalised. When it has been developed and endorsed by MCEETYA, or approved by the Minister, it will be prescribed.</p>
7	303	<p><i>Note</i> The standard will be a level on the Year 4 science achievement scale in the Trends in International Mathematics and Science Study (TIMSS) mathematics assessment for 2002 developed by MCEETYA.</p> <p>At the time these Regulations commenced, the standard had not been finalised. When it has been developed and endorsed by MCEETYA, or approved by the Minister, it will be prescribed.</p>

Item	Item in Parts 1 to 6 that refers to the performance measure	Standard
8	304	<p><i>Note</i> The standard will be the level on the Year 8 science achievement scale in the Trends in International Mathematics and Science Study (TIMSS) mathematics assessment for 2002 developed by MCEETYA.</p> <p>At the time these Regulations commenced, the standard had not been finalised. When it has been developed and endorsed by MCEETYA, or approved by the Minister, it will be prescribed.</p>
9	401	Level 2 on the civics and citizenship scale in the National Assessment Program – Civics and Citizenship, 2004, Year 6.
10	402	Level 2 on the civics and citizenship scale in the National Assessment Program – Civics and Citizenship, 2004, Year 6.
11	403	Level 3 on the civics and citizenship scale in the National Assessment Program – Civics and Citizenship, 2004, Year 10.
12	404	Level 3 on the civics and citizenship scale in the National Assessment Program – Civics and Citizenship, 2004, Year 10.
13	501	<p><i>Note</i> The standard will be a level on the Information and Communications Technology scale in the National Assessment Program— Information and Communications Technology Literacy, 2005, Year 6, developed by MCEETYA.</p> <p>At the time these Regulations commenced, the standard had not been finalised. When it has been finalised, it will be prescribed.</p>

<b>Item</b>	<b>Item in Parts 1 to 6 that refers to the performance measure</b>	<b>Standard</b>
14	502	<p><i>Note</i> The standard will be a level on the Information and Communications Technology scale in the National Assessment Program—Information and Communications Technology Literacy, 2005, Year 10, developed by MCEETYA.</p> <p>At the time these Regulations commenced, the standard had not been finalised. When it has been finalised, it will be prescribed.</p>

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## Schedule 2 School performance information

(regulations 2.6 and 3.6)

*Note* This information is to be reported for each school, as required by regulations 2.6 and 3.6.

Item	Subject	School performance information
<b>Professional engagement</b>		
1	Staff attendance	The average attendance rate or average number of days attended per staff member
2	Staff retention	The proportion of teaching staff retained in a program year from the previous year
3	Teacher qualifications	A list of teachers' qualifications
4	Expenditure and teacher participation in professional learning	Number of teachers participating in professional learning activities, and description of activities in plain language  Average expenditure per teacher on professional learning, at the school level
<b>Key student outcomes</b>		
5	Student attendance	The average attendance rate (percentage)
6	Proportions of Year 3, 5, 7 and 9 students meeting national reading, writing, spelling and numeracy benchmarks <i>(benchmark results)</i>	The percentages of students in Years 3, 5, 7 and 9 achieving the national literacy and numeracy benchmarks for their Year
7	Changes in benchmark results from the previous year	The percentage point change in students achieving national benchmarks
8	Value added	Schools are to present information in plain language on their value added in the most appropriate way according to each school's circumstances

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<b>Item</b>	<b>Subject</b>	<b>School performance information</b>
9	Average standardised assessment results for Year 9 and Year 10 students	The median score of Year 9 and Year 10 students doing standardised assessments, where available
10	Senior Secondary outcomes	Academic achievement including median Year 12 results and academic and non-academic pathways
11	Proportion of Year 9 students retained to Year 12 (or equivalent)	Schools are to report student retention in plain language in the most appropriate way according to each school's circumstances
12	Post-school destinations	Schools are to report their post-school destinations in plain language in the most appropriate way according to each school's circumstances
<b>Satisfaction</b>		
13	Parent, student and teacher satisfaction	A description in plain language of parent, student and teacher satisfaction with the school

**Table of Instruments**

**Notes to the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Regulations 2005***

**Note 1**

The *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Regulations 2005* (in force under the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Act 2004*) as shown in this compilation comprise Select Legislative Instrument 2005 No. 190 amended as indicated in the Tables below.

**Table of Instruments**

<b>Title</b>	<b>Date of FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
2005 No. 190	19 Aug 2005 (see F2005L02328)	Parts 1 and 4: 1 Oct 2005 Remainder: (see r. 1.2 (b))	R. 1.2 (am. by 2005 No. 234, Sch. 1 [item 1])
2005 No. 216	7 Oct 2005 (see F2005L03010)	1 Oct 2005	—
2005 No. 234	24 Oct 2005 (see F2005L03211)	1 Oct 2005	—
2006 No. 246	25 Sept 2006 (see F2006L03147)	6 Oct 2006 (see r. 2)	—
2006 No. 295	17 Nov 2006 (see F2006L03666)	18 Nov 2006	—
2006 No. 311	4 Dec 2006 (see F2006L03886)	5 Dec 2006	—
2007 No. 156	25 June 2007 (see F2007L01829)	Rr. 1–3 and Schedule 1: 26 June 2007 Schedule 2: 14 Feb 2008 (see r. 2 (b))	—
2007 No. 350	19 Oct 2007 (see F2007L04106)	Rr. 1–3 and Schedule 1: 20 Oct 2007 Schedule 2: (see r. 2 (b) and Note 2)	—
2008 No. 37	27 Mar 2008 (see F2008L00963)	28 Mar 2008	—

**Table of Amendments**

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
R. 1.2.....	rs. 2005 No. 234
<b>Part 2</b>	
R. 2.5A.....	ad. 2007 No. 156
<b>Part 3</b>	
R. 3.5A.....	ad. 2007 No. 156
<b>Part 4</b>	
Part 4.....	ad. 2005 No. 216 rs. 2006 No. 295; 2007 No. 350
R. 4.1.....	ad. 2005 No. 216 rs. 2006 No. 295; 2007 No. 350
R. 4.1A.....	ad. 2008 No. 37
R. 4.1B.....	ad. 2008 No. 37
R. 4.1C.....	ad. 2008 No. 37
R. 4.1D.....	ad. 2008 No. 37
R. 4.2.....	ad. 2005 No. 216 rs. 2005 No. 234; 2006 Nos. 295 and 311 am. 2007 No. 156 rs. 2007 No. 350 am. 2008 No. 37
R. 4.3.....	ad. 2005 No. 216 rs. 2006 Nos. 246 and 295; 2007 No. 350
R. 4.4.....	ad. 2005 No. 216 rs. 2005 No. 234; 2006 No. 295; 2007 No. 350
R. 4.5.....	ad. 2005 No. 216 rs. 2005 No. 234; 2006 No. 295; 2007 No. 350
R. 4.6.....	ad. 2006 No. 311 rep. 2007 No. 350
R. 4.7.....	ad. 2006 No. 311 rep. 2007 No. 350
R. 4.8.....	ad. 2006 No. 311 am. 2007 No. 156 rep. 2007 No. 350
<b>Schedule 1</b>	
Schedule 1.....	am. 2007 No. 156

## **Note 2**

*Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Amendment Regulations 2007 (No. 2) (2007 No. 350)*

The following amendments commence on the day worked out in accordance with subsection 140 (2) of the *Schools Assistance (Learning Together — Achievement Through Choice and Opportunity) Act 2004*:

## **Schedule 2**

### **[1] Regulation 1.3, after definition of Act**

*insert*

***language conventions*** means:

- (a) for the application of a provision of these Regulations in relation to the program year 2005, 2006 or 2007 — spelling; and
- (b) for the application of a provision of these Regulations in relation to the program year 2008 — spelling, grammar and punctuation.

*Note* For 2008, the elements of spelling, grammar and punctuation will be assessed through a single national test on language conventions.

### **[2] Paragraph 2.1 (1) (a)**

*omit*

spelling

*insert*

language conventions

### **[3] Paragraph 2.1 (1) (c)**

*omit*

spelling

*insert*

language conventions

**Note 2**

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**[4] Paragraph 2.1 (1) (e)**

*omit*

spelling

*insert*

language conventions

**[5] Paragraph 2.3 (2) (a)**

*omit*

spelling

*insert*

language conventions

**[6] Paragraph 2.3 (2) (b)**

*omit*

spelling

*insert*

language conventions

**[7] Paragraph 2.3 (2) (c)**

*omit*

spelling

*insert*

language conventions

**[8] Regulation 2.7, including the note**

*substitute*

**2.7 Educational accountability — common national tests**

For subsection 19 (4) of the Act, the common testing standards are to be implemented in 2008 by each school administering common national tests in reading, writing, language conventions and numeracy, as endorsed by MCEETYA, or approved by the Minister, to each child who:

- (a) attends the school; and
- (b) is in Year 3, 5, 7 or 9.

**[9] Paragraph 3.1 (1) (a)**

*omit*

spelling

*insert*

language conventions

**[10] Paragraph 3.1 (1) (c)**

*omit*

spelling

*insert*

language conventions

**[11] Paragraph 3.1 (1) (e)**

*omit*

spelling

*insert*

language conventions

**[12] Paragraph 3.3 (2) (a)**

*omit*

spelling

*insert*

language conventions

**Note 2**

---

**[13] Paragraph 3.3 (2) (b)**

*omit*

spelling

*insert*

language conventions

**[14] Paragraph 3.3 (2) (c)**

*omit*

spelling

*insert*

language conventions

**[15] Regulation 3.7, including the note**

*substitute*

**3.7 Educational accountability — common national tests**

For subsection 36 (4) of the Act, the common testing standards are to be implemented in 2008 by each school administering common national tests in reading, writing, language conventions and numeracy, as endorsed by MCEETYA, or approved by the Minister, to each child who:

- (a) attends the school; and
- (b) is in Year 3, 5, 7 or 9.

**[16] Schedule 1, item 103**

*omit*

spelling

*insert*

language conventions

**[17] Schedule 1, item 106**

*omit*

spelling

*insert*

language conventions

**[18] Schedule 1, item 109**

*omit*

spelling

*insert*

language conventions

**[19] Schedule 1, item 112**

*omit*

spelling

*insert*

language conventions

**[20] Schedule 2, item 6**

*omit*

spelling

*insert*

language conventions

As at 28 March 2008 the amendments are not incorporated in this compilation.